The Universities are important institutions in modern society. In economic terms they are the main social agency for preparing large number of highly trained scientific and technical personnel needed to keep modern society functioning. Perhaps, even more importantly the Universities prepare future leadership and set the intellectual and moral tone of the society. In developing societies Universities are practically the only institutions for preparing vast number of technical, scientific and administrative personnel needed for rapid growth of their economies. It plays a vital role for creation of just and equitable society.

Indian Universities, like most modern Universities in developing countries, face formidable challenges. They are expensive, require great resources, in resources scarce society. They are elitist admitting within its fold only tiny fraction of young in their societies. These institutions are devoted to the life of independent and critical thought in a society that is deeply ruled by tradition, and at same time, highly volatile. Added challenge is the fact that Universities in India are foreign, colonial transplant, and not an indigenous plant. Thus they require special tending for their health and growth.

The governance of a University is a difficult and complex matter. Universities are large and multipurpose organisation with activities ranging from super and fundamental research to ordinary work experience. It is a vast academic enterprise. The internal organisation of the University is complex and fragmented. It has many and often conflicting goals, and rarely speaks with one
voice. The Universities are created by State Legislatures, and State Governments control their purse strings, as they are fully funded by State Governments. Thus, State is the great source of power and strength of the Universities. In addition, the State Government has direct hand in the appointment of leader of the University.

The structure and governance of Indian University is based on three things namely:

a) the powers of the Central and State Governments, within which the University has to operate;

b) the internal organisation of University governance, particularly its chief governing bodies and officers;

c) over and above, the UGC role in development of higher education, primarily through its allocation of funds for maintenance and development, and in case of State Universities, the State Governments, are the funding agency.

The Central Universities are getting more than 90% grants from the UGC. The State Universities too get the grant from the UGC only in specific areas. There are three types of grants to the Universities of States, which UGC provides i.e. for programmes of national importance 100% funding, for non-recurring budgets 66% of total grant, for securing budgets it gives 50% of the total cost. The UGC provides funds for setting up of national Centres of Excellence; buildings, libraries, equipment etc. Following table shows the pattern of funding of Universities by UGC:

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### Sources of Providing Funds (1982 - 83)

<table>
<thead>
<tr>
<th>Name</th>
<th>Type</th>
<th>UGC</th>
<th>Other</th>
<th>State Fees</th>
<th>Others</th>
</tr>
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<tr>
<td>AMU</td>
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<td>9.4</td>
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<td>12.9</td>
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<td>5.8</td>
</tr>
<tr>
<td>ITI's</td>
<td>C</td>
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<td>--</td>
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<tr>
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<td>70.0</td>
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<td>21.3</td>
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</tr>
<tr>
<td>Allahabad S</td>
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<td>--</td>
<td>74.0</td>
<td>22.0</td>
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</tr>
<tr>
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<td>--</td>
<td>--</td>
<td>62.3</td>
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<tr>
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<tr>
<td>Gauhati</td>
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<td>--</td>
<td>59.2</td>
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<td>Kashmir</td>
<td>S</td>
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<td>--</td>
<td>66.0</td>
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<tr>
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<td>--</td>
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<tr>
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<td>S</td>
<td>--</td>
<td>--</td>
<td>54.0</td>
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<tr>
<td>Rookree</td>
<td>S</td>
<td>20.0</td>
<td>16.7</td>
<td>52.0</td>
<td>0.4</td>
</tr>
</tbody>
</table>

C = Central, Ag. = Agricultural and S = State

**SOURCE:** Commonwealth Universities Year Book (1985:1418-1972).

Since the State Governments provide bulk of finances to the State Universities. The 'Power of Purse', gives it tremendous influence over the Universities in the States. It is the State Education Department, principally the Education Minister and Education Secretary, which interferes and encroaches upon the University System. The Governor is the Chancellor, and Chief Minister, State Cabinet Minister, Legislators, sit ex-officio on the University
bodies. Top State political leaders are in contact, and have close links with University officials and the senior staff. The interference of politicians is sometimes motivated by their desire to make personal and sometimes partisan political appeals to students, staff and even faculty, and to strengthen one's following and maximize personal and partisan influence, to serve one's constituencies by opening up access to the University.

The academic and intellectual affairs of the University are largely left alone by the State. The content of courses, and research and the expression of ideas is not generally interfered with. Administrative and personal matters are the objects of political pressures and interferences. Thus University power and authority are subordinate to State authority. The close Government supervision and control over Universities has been a major historical legacy, it continues, to be a major detriment of the character of the modern University System in India.

1:2 Educational Institution — Whether an Industry

The term "Industry" connote business or a trade involving capital and labour engaged in producing the material required at large by the society. The question as to whether an educational institution could be termed as an 'Industry' has created lot of controversies, particularly in reference to Section 2(J) of the Industrial disputes Act (14 of 1947). The importance of declaration of education institution as an Industry shall have for reaching effects and consequences on the rights of the employees of the educational institutions in regard to their service matters if they are brought within the term "Workman" as defined in Section 2(S) of the Act.
In *Federated State School Teachers Association V State of Victoria and Others*\(^6\), the High Court of Australia, deliberated on the question "whether the education activities of the State carried on under appropriate Statutes and Statutory Regulations of each State relating to Education constituted an 'Industry' within the meaning of the Section-4 of the Common Wealth Conciliation and Arbitration Act 1904 – 28 and "whether the occupation of teachers employed was not an industrial occupation and whether the disputes between State and the Teachers employed by them was not a industrial dispute, within the meaning of Section – 51 of the Constitution of Australia. The Court through Knox CJ stated",\(^7\).

"Testing this case by suggested criteria of industrialization. Can it be said that Educational Activity of a State constitute an industry? They bear no semblance to ordinary trade, business or industry. They are not connected directly with or attendant upon the production and distribution of wealth and there is no co-operation of capital and labour, in any relevant sense, for great public schemes of education are forced on society by law. it was further observed that if the education activity is carried by any private operation, then it can be deemed as business, trade or an industry.

However Isaac, J gave a dissenting view and observed:

"that industry cannot be confined to production of wealth only it is also a service".

The question which arose in India were regarding the word "Service", whether "Service" in a hospital comes within the definition of an Industry. The Supreme Court in the *State of Bombay V Hospital Mazdoor Sabha*\(^8\) interpreted the word 'Industry' in Section
2(J) of the Industrial Disputes Act observed that "an activity systematically or habitually undertaken for the production or distribution of goods or for rendering of material services to the community at large or a part of such community with the help of employees is an undertaking. Such an activity generally involves the Co-operation of employer and the employees, and its object is the satisfaction of material needs of the people. it must be organised and arranged in a manner in which trade business is generally organised or arranged and the condition of Co-operation between employer and employees necessary for the success and its object to render material services to the community can be regarded as some of the features of activities to which Section - 2(J) applies. The Court further made it clear that only the Sovereign or regal functions of the Government which a private individual cannot exercise, would be outside the purview of the Act. But activity undertaken by the Government in the interests of socio-economic progress of the country as beneficial measure is not exempted from the operation of the Act.

In the wake of decision of the Supreme Court in the aforesaid case the same Court held that Pharmacy College, which also runs a hospital, wherein ayurvedic medicine was prepared on the mass scale and bulk of it marketed, would come within the definition of industry and it would be so even if the students are occasionally taken to the pharmacy to acquaint them with the ways of manufacturing medicine on a large scale.

However, the both cases Supreme Court, left open the question, whether running an Educational Institution would be an industry within the ambit of the term as defined in the Industrial Act. In Osmania University V Industrial Tribunal, the High Court following the Australian case held that the University could not
be said to be an "Industry". The Court observed that essence of the Section 2(J) of the Act is between capital and labour, however, varied that Co-operation may be. The definition in the enactment was not intended to cover what would not be a dispute between capital and labour, nor dispute connected with or attendant upon, the production or distribution of wealth. The Andra High Court thus applying the above test held,

"any education institution, with particular reference to Osmania University where that co-operation does not exist would not be covered by the definition of "Industry."

In subsequent case the Calcutta High Court observed that an undertaking which depends on the intelligence or capacity of individual does not become an industry simply because it has a large establishment. Even the existence of a profit motive would not be a decisive factor, as institution might get profits because of the excellence of the teachers, which is an incidence of their intellectual capacity.

However, in Corporation of City of Nagpur V its Employees and others the Supreme Court held that the Education Department of the Corporation would come within the definition of the "Industry". The Court laid down the following tests to determine whether they would come within the definition "Industry".

1) The definition of "Industry" in the Act is very comprehensive. It has two parts, namely one defines it from standpoint of view of employees and another from "employer". If any activity falls under either part of the definition, it will be an "Industry" within the meaning of the Act;
2) The activity should be organised one and not that pertains to private or personal employment;

3) The regal functions of the State (Legislative Administrative and Judicial) though statutorily delegated to Corporation are necessarily excluded from the purview of the definition;

4) If the "Service" rendered by an individual or a private person would be an industry it would equally be an industry in the hands of Corporation;

5) If the service rendered by the Corporation is an industry, the employees in the departments connected with that service, would be entitled to the benefits of the Act;

6) If the department of Municipality discharges many functions some pertaining to industry as defined in the Act and other non-industrial activities, the pre-dominant functions of the departments shall be the criterion for the purposes of the Act.

On the facts of the case, Supreme Court held that "Education Department of Nagpur Corporation, looks after primary education. This service can equally be done by the private persons. This department satisfies the other tests. The "Employee" of the Department comes under the definition of "employee" under the Act and would certainly be entitled to the benefits of the Act".
This case was cited and distinguished by the Supreme Court in *University of Delhi v Ramanath*¹³, where question was again raised as to whether Education Institution could be termed as "Industry". The question turned round whether the concept of cooperation between Teacher and Institution could be treated as similar to cooperation between labour and capital, fitted in the scheme of the Act, and it had to be resolved on the contention of definition of employer (b) Industry and (c) workman. Non-teaching subordinate staff may be called workman but in the main scheme of imparting education the teacher employed by the education institutions, whether such institutions are imparting primary, secondary, collegiate or post-graduate education, are not workman under Section-2(S) and any dispute between them and the institution which employed them are outside the scope of the Act.

In other words if imparting education is an 'Industry' under Section-2(J) the bulk of the employees being outside the purview of the Act. The only dispute which can fall within the scope of the Act are those which may fall under Section-2(S). So when the majority of this employees i.e. teachers of an institution were held not entitled to invoke the benefits prescribed by the Act, it was naturally difficult to presume that policy of the enactment intended to protect the subordinate staff of the Institution. Thus reading Section-2(g)(j) and (s) together, the Court observed, that "Work of education carried by the Educational Institution like University of Delhi is not an industry within the meaning of an Act. After reaching the conclusion the Supreme Court observed",

"The Education seeks to build up the personality of the pupil, by assisting his physical, intellectual, moral and emotional development. To speak of this educational process in terms of industry sounds so completely in corriguous that
one is not surprised that Act has deliberately so defined "Workman" under Section-2(s) as to exclude 'Teachers' from its scope. The "Teachers" and "Teaching" no doubt is assigned high place of honour and it is necessary that teachers and teaching should receive respect and high esteem, it cannot be denied any social justice, yet the teachers have been excluded from Section-2(s) of the Act. The teachers are well assisted by Government Education Departments and University Grants Commission, in terms of the pay-scales, better conditions of service, etc. So any problem of teachers regarding their salaries and condition of service is outside the purview of the Act. Since 'Teacher' is the sole class of employee with whose cooperation education is imparted their exclusion from the purview of Act, necessarily corroborates that Education itself is not within its scope."

It is beyond doubt that unlike commercial industries educational institution of the nature of a University are not established and run with any profit motive though the absence of profit is not by itself relevant factor to exclude an Institution from the definition of an industry. Education in true aspects is more a mission and a vocation rather than a profession or trade or business. Therefore, following that decisions of Court, institutions, where main purpose and object are advancement of learning and investigation in matters of literary, scientific or artistic interests are outside the purview of the Act; and as such cannot be deemed as industry.
The concept of 'Education' has many angels depending on who conceives it and how, say from the point of view of academician, the teacher, the student, the parents and society. To educate would include 'proper moral' as well as intellectual physical instructions and education may be directed particularly either mental, moral or physical powers and faculties and in broader and best sense it would refer to them all.14 It is generally more applicable to younger portion of life when mind and moral nature are unstocked and life undeveloped, while instructions may be given or received on specific or departments of knowledge at all periods.15 Education may make men wiser, education ought to make them better and wise, and breeding will make them more polished and agreeable and training will make them perfect, by instructions, exercise and discipline.16 The education in broadest sense comprehends17 not merely the instructions received at school or college, but the whole course of training moral, intellectual and physical, it is not limited to ordinary instructions of child in pursuits of literature. It also comprehends a proper attention to the moral and religious sentiments of the child. And it is some times and as synonymous to learning. In Trilochan Singh V Director Small Scale Industries Service Institute, the High Court of Madras, held the view that even vocational training means systematic instructions, schooling, training given to young boys or even to the adults in preparation of the work of life. So where an institute which is designed to equip the trainee for the work of life and which provides instructions only in training a craft or trade will undoubtedly be an educational institution.
The definition of an educational institution on aspects of legal status is of least importance to academicians. But in granting relief to institutions or persons connected with it, the Court of Law will have to probe, at times into the legal status of the educational institution, within the limitation of the Statutes. As for instance question has cropped up before the Courts as to whether educational institutions could be called charitable institutions (Art. 26) or State (Article 13) or authority or person under Article 226, or an industry (Industrial Disputes Act) etc. and in such cases to uphold their rights or deny the benefits which the law does not really extend to them, the Courts will be constrained to ascertain whether a particular institution by definition would come within the framework of the law in question

1:3:1 Legal Status of Educational Institutions:

The phrase "educational Institution" is of wide import and would cover Universities as well. Though there is good deal in common between educational institutions which are not Universities and which are Universities in that both teach students and have teachers for the purpose yet what distinguishes a University from other educational institutions in that a University grants degrees of its own while other institutions cannot. It is this granting degrees by a University which distinguishes a University from other educational institutions. In St. Davids College Lampeter V Minister of Education, the college claimed against the Ministry of Education a declaration that the college be treated as the "University" as it was providing University education. the Ministry of Education refused to declare the College as the "University". The Court enumerated certain factors as essential requisites for an institution to be considered as the University viz. a) it
must be incorporated by the highest authority i.e. by 'Sovereign Power'; b) to be a University, an institution must be open to receive the students from any part of the world; c) there must be plurality of teachers; d) higher faculties of teaching should be available in Sciences, Law, Medicine, Philosophy etc. Vaisey. J. observed that University is an institution which stands class by itself, and must have power to grant its own degrees, and, is to judge by the size or number of pupils, courses of studies, etc.

1:3:2 University - definition:

The word 'University' has been derived from the word "Universitas". The "Universities" is applicable to any corporate body with a common seal and perpetual succession, for the purpose of imparting instructions and awarding degrees. In India, Universities are incorporated by the Act of Parliament or of State legislature. The other attributes of the University appears to be the admission of students from all parts of the world, a plurality of masters, teaching one at least of higher faculties, provisions for residence, and the right to confer degrees, but presence of all these attributes will not make an institution a University, in absence of any express intention of the Sovereign power to make it one. The intention of this sovereign power is to be expressed by the Act of the Parliament or State Legislature, with the rapid growth of education these attributes of the University have undergone a change. It is no longer necessary that University should admit students from all parts of the world. Most of the Universities in India now only have territorial jurisdiction over which they operate. Students living outside the territorial jurisdiction are not generally admitted to such Universities and it is also not possible for the Universities to teach the students for all the
branches of knowledge. Now in India there are purely Engineering Universities and Agricultural Universities, Law Universities etc. Some Universities are merely Examine bodies and they do not have any college or institutions of their own. Such Universities only conduct examination of the students of the colleges affiliated to them, and confer degrees and diplomas. Such affiliated colleges are either government colleges or private colleges.

Before the Constitution of India, 1950 came into force there was no law in India which prohibited any individual or body from establishing a University. Such Universities were free to confer degrees or diplomas. However, government was not bound to recognize such degrees or diplomas. With coming into force of the University Grants Commission, Act 1956, this State of affair was changed. The Act prohibited privately established Universities from conferring degrees.

Section 22 of the UGC, Act reads as under:

1) "The right of conferring or granting degrees shall be exercised by a University established or incorporated by or under a Central Act, a Provincial Act or a State Act or an Institution deemed to be a University under Section.3 or an institution specially empowered by an Act of Parliament to confer or grant degrees."

2) Save as provided in sub-clause (1) no person or authority shall confer or grant or hold himself or itself out as entitled to confer or grant, any degree.
3) For the purposes, of this section 'degrees' means any such degrees as may, with the previous approval of the Central Government, be specified in this behalf by the Commission by Notification in the Official Gazette.

Section 3 referred in the Section 22(1) above of the University Grants Commission Act, 1956 is as below:

"The Central Government may, on the advice of the Government declare, by notification in the Official Gazette, that any institution of higher education other than University, shall be deemed to be a University for the purposes of this Act, on such a declaration being made, all the provisions of this Act shall apply to such institutions as if it were a University within the meaning of the clause (f) of Section (2).

The University Grants Commission Act further prohibits the use of the word 'University' by any institution unless it was established by the Law. Section 23 of the Act reads as under:

"No institution whether a corporate body or Not, other than the University established or incorporated by or under Central Act, a Provincial Act or a State Act shall be entitled to have the word 'University' associated with its name in any manner whatsoever."
The Act proposes a penalty for violation of the provisions of the Section 22 or Section 23.

Thus a University is an Educational Institutions with a difference, it has the power to grant or confer degrees, provided they are empowered to do so by the Act of Parliament of State Legislature.

1:3:3 The University of Kashmir - Position:

In 1948, to renew the ancient traditions of learning in Jammu and Kashmir, the University of Jammu and Kashmir was established as an 'Examining Body' with its head quarters at Srinagar. In 1966, three Post/graduate Departments: English at Srinagar, Economics and Geology at Jammu were established and the Institutions begun to function as full fledged University.

The first whole time Vice-Chancellor Mr. A.A. A. Fayzee was appointed in 1957. Prior to that it was supervised by an Honorary Vice-Chancellor (Justice J.N.Wazir). In 1965 the University was re-organised and two divisions of the equal status, one for the Jammu and other for Kashmir region were created, with the Central Organisation, having specified legislative and executive powers relating to Budgets, Finance, Planning, Coordination, improvement of standards of teaching and examination and prescriptions of courses of studies. Each division had its own Executive Body to run the day to day administration and its own academic bodies to formulate its academic programmes and policies. The Pro-Chancellor, was the Chief Executive and Academic Officer of the concerned Division, while the Vice-Chancellor was the Principal Executive and Academic head of the whole University.
In September 1969, the J&K University was replaced by University of Jammu and University of Kashmir through an Ordinance promulgated by the Governor of J&K State on 5th September, 1969. This Ordinance was subsequently replaced by the Act of State Legislature which was published in the Government Gazette on November 10, 1969.

Section 4 of the Kashmir and Jammu Universities Act reads as:

"The Universities of Kashmir and the University of Jammu shall be corporate bodies known by names of 'University of Kashmir' and 'University of Jammu' each having a perpetual succession and a common seal, with a power to acquire and hold property movable and immovable, to transfer the same, to contract and to do all other things necessary for the purpose by its Constitution and may sue or be sued by its corporate name as aforesaid."

So by Section 4 the University of Kashmir has been incorporated and granted a legal status of perpetual succession, common seal, and right to sue or being sued.

Section 5 confers powers and functions on the University. Section 5 reads as under:

A University shall have the following powers and functions, namely:-

1. to provide instructions in such branches of learning as the University may think fit, and
to make provision for the advancement and discrimination of knowledge;

2. to hold examinations, to grant degrees and to confer other academic distinctions;

3. to grant such diplomas to....

4. to admit and maintain colleges, and to recognize colleges and other institutions not maintained by the University and to withdraw such recognitions.

Section 5(13) of the Act reads as:

"to do such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University as a teaching, affiliated or examining body and to cultivate and promote arts, sciences and other branches of learning".

Section 7 of the Act says that University shall be open to all classes, creeds and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to any certification or to serve as a teacher or to hold any office in the University. And Section 8 of the Act specifies the jurisdiction of the University and says that:

No education institution outside or admitted to any privileges of the University under the Act, nor shall any educational
institution within the State be associated in any way with or be admitted to any privileges of any other University incorporated by law outside the State.

However, the Chancellor of the University has empowered to waive the aforesaid condition.

Thus from legal point of view the University of Kashmir has been properly incorporated by the Act of the State legislature and its incorporation is in total conformity with provisions of the University Grants Commission Act, 1956.

Having made a modest start in 1956, with the establishment of Department of English, it has grown into a Multi Faculty University imparting instructions in various subjects in the Faculties of Arts, Science, Social Science, Education, Law, Commerce, Medicine, Engineering, Music and Fine Arts and Non-Formal Education, are run by the people with considerable teaching and research experience, some of whom occupy place of eminence in the academic world. The University Library can boast to have a collection of 3 Lacs books and it subscribes to almost all the foreign and Indian journals and magazines.

1:3:4: Colleges Under the University

The various Colleges and Institutions functioning under the University are governed by Statutes framed by the University in this behalf. These relate not merely to the internal organisation and Governance of the Colleges but to their Constitution to various University purposes and so far as they affect the University may not be affected without the consent of the University.
The Colleges established by the government are not governed by the Statutes and Ordinances framed by the University so far as the condition of service, and salaries of the teachers and other staff working in such Colleges are concerned. In all other matters Government Colleges are governed by the Statutes of the University under which they fall. The Government Colleges are directly controlled by the Government.

The education institutions and the Colleges admitted to the privileges of the University are called Affiliated Colleges. Like government Colleges the Private Colleges are also affiliated to a University subject to the fulfillment of certain conditions laid down by the Statutes and ordinance. Most of the Universities lay down a College code which govern the service conditions of teachers working in such Colleges. The Colleges and Institutions exclusively maintained by the Universities, are called University College. The teachers and other employees of Colleges are paid by University.

There is yet another type of institutions linked with University - namely Constituent College. A Constituent College which provides Post-graduate Teaching in number of subjects or in a College of technical or professional education which has been declared by competent body as the Constituent College. The Medical College, Srinagar, and Regional Engineering College, Institute of Music and Fine Arts, are constituent Colleges of the University of Kashmir. The Institute of Correspondence Courses, was also having a status of the constituent college upto 1985, in 1985 the Institute of Correspondence Courses was replaced by the Department of Distance Education, and Department of Distance Education was granted fulfledged status of the Department of the University.
Article 12 of the Constitution defines "State" for the purposes of part III dealing with fundamental rights as including "the Government and Parliament of India and the legislature of each of the States and all local or other authorities within the territory of India or under the control of Government of India".

The question whether Universities established by Acts of legislature could come within the expression "Local or other authorities" mentioned in Article 12 and thus fit into the definition of "the State" for the purposes of enforcing the appropriate fundamental rights against them came up for consideration in *Shanta Bai V University of Madras* wherein a student who was refused admission to a college on the ground of sex, acting upon certain directions of the University of Madras, sought a writ of Mandamus to admit her into a course to which the Institution had permission to admit not more than 10 girl students. The learned judge after holding that refusal was discriminatory issued a writ of Mandamus directing the University and College to reconsider her application. The University was assumed to be an 'Authority' within the territory of India and thus a 'State' within the meaning of Article-12. The Court held that words 'Local' or 'other Authority' must be construed ejusdem generis with Government or Legislature and so construed they could mean "authorities" exercising Government functions.

The words would not include persons natural or juristic who cannot be regarded as instrumentalities of the Government, University being a body corporate created by a Statutes, was not charged with the execution of any Government functions, its pur-
pose being purely to promote education. On the facts, the Court held that University of Madras was only a body corporate created by Madras Act (1923) and it was not charged with the execution of any Government functions, hence would not come within the definition of the State.

This view of the Madras High Court was followed in several subsequent cases dealt with by High Courts in other States. In *Ena Gosh V State of West Bengal* the Calcutta High Court took the view that a sponsored College would not come within the definition of the State as defined in Article 12 of the Constitution. Again Mysore High Court in *Devedas V Regional Karnataka Engineering College* explained the expression "Authority" as below:

"The term Authority in ordinary Dictionary sense may comprise not merely a person or a group of persons exercising governmental powers but also any person or group of persons or by virtue of their position in relation to other persons or person. But there is a essential difference between a political association of persons called the State giving rise to political power connected by the well known expression of "Imperative Law" and a non-political association of persons for other purposes of contracts, consents or mutual understanding related to some common object, give rise to a power, which operates but by virtue of such acceptance, by such associated persons based upon contracts, consent or mutual understanding. In this view the term "Authorities" occurring in Article 12 could only mean a person or a group of persons who exercise the legislative or executive function of the State or through whom or through the instrumentality of whom the State exercises its legislative or executive functions or powers."
The Madras High Court view has been criticized on the grounds that the test of the application of Article 12 is whether the Authority has the power to make "laws" as defined in Article 13 or only to admit "Laws". Since the University has the power to make Statutes ordinances and regulations etc. under the Act establishing them. The Universities are "State" within the meaning of the definition of Article 12.

The decision of the Madras High Court was followed by various High Courts, was subsequently overruled by the Supreme Court in Rajasthan State Electricity Board v Mohan Lal, disapproving the idea of "Ejusdem generis" while interpreting the expression "other authorities" in Article 12 the Court observed: in the Article 12 of the Constitution the bodies specifically named as "Authorities" are Executive Government by the State or a legislatures of the Union and the State, Local authorities. The Supreme Court adopted the meaning of the "Authority" as provided in Websters Dictionary, a public administrative agency or corporation having quasi-Governmental powers and authorities to administer a revenue producing public enterprise and observed that Dictionary meaning of the "Authorities" is quite wide and will include all bodies created by Statutes on which powers are conferred to carry out governmental quasi-governmental functions. The expression other authorities is wide enough to include within it every authority created by a statute and functioning within the territory of India or under the control of Government of India. The Court held that the Universities are public statutory bodies created by Acts of the Parliament or State Legislatures, and they have been empowered to make Statutes, Ordinances, and Bye-Laws etc. Such laws made by the Universities would come within the definition of Law as given in Article 13(3)(a) and
consequently they must conform to the Fundamental Rights provided in part III of the Constitution. The Universities do perform functions which may be called Governmental functions, as they legis­late and bind the conduct of the person or bodies fallen within the purview of the concerned Act. The phraseology of the Article 12 itself clearly indicates that Constitution makers were consider­ing authorities, other than local authorities also to be includ­ed within the definition of the State.

Therefore Universities are now 'State' within the meaning of Article 12 of the Constitution of India. The Vikram University is now a State, the Agra University is a "State" and University of Kashmir is also a "State" within the meaning of Article 12.
The Chancellor’s of the Central Universities, whether elected or nominated by the Central Government, are usually reputed public men or persons of academic distinction. They have by and large not evoked any controversy so far. In contrast the Governors, who are usually the Chancellor’s of State Universities, have come to be criticised both when they have tried to act independently or as a mouth-piece of the party in power in general and of the Chief Minister of the State in particular. The Governor as the Chancellor may become all the more suspect (rightly or wrongly) as a nominee of the Union Government when one party rules in a State and another in the Centre. The Vice-Chancellor is not in a happy position when there is a tension between Governor as the Chancellor and the Chief Minister of the State.\(^7\)

There has been lot of controversy on the role of the Governors, the general view is that—being the Constitutional head of the State; the Chancellor should usually act on the advice of the Council of Ministers in relationship to the University, even at times accept the rath of the Chief Minister and his Cabinet.\(^8\)

In the appointment of Vice-Chancellors and their removal the Chancellors have been target of bitter attack in the recent times in different States. If he acts on his own his action is resented by the State Government. If he acts on the advise of the Government, his action is deemed to be politically motivated. There has
been instances of Governors asking for immediate resignation of the Vice-Chancellor's.

**Powers of the Chancellors**

Generally all the University Acts vest in the Chancellors power to:

1. Appoint and in exceptional cases to suspend or remove the Vice-Chancellor

2. Annul any proceedings of any Officer or Authority of the University which is not in conformity with the University Act, Statutes and Ordinances

3. He has the power to call for papers or information relating to affairs of the University,

4. to confer an Honorary degree or

5. Every statute or addition of the statute or any amendment or repeal of the statute is submitted to Chancellor who may give or withhold his assent there to or may refer it back to the University Council for reconsideration. No statute can be valid unless assented by the Chancellor.

1. Sectors 7(3) of the Calcutta University Act, 1975, the Chancellor may by an order in writing annul any proceedings of any officer, authorities of the University, which is not in Conformity with the Act, Statutes, the
ordinances, the Regulations, the Rules or the Bye-Laws. Provides that before making such order the Chancellor shall, call upon such authority to show cause why such an order should not be made.

2. Sector 9(4) of the Patna University act 1962, authorises the Chancellor to nullify the Syndicates Resolution, provided only if the Syndicates resolution were not in conformity with the Act and the Statutes.

However Chancellor, by virtue of his office and the President of the Senate, cannot exercise his powers under the Act arbitrarily manner and review and alter his orders. the power of the Chancellor under the Bihar act is a power of quesi-judicial nature so the power have to be exercised judicially within the ambit of the Act and in accordance the well-established principles of Law.39.

3. Section 43-A of the Sagar University Act, 1946, provides that Chancellor may on his own motion or on application of any party interested review any order passed by himself,if he is of the opinion that it is not in accordance with in the provisions of Act, the Statutes, the Ordinances or the Regulations.

4. Sector 7(4) of the Calcutta University Act, 1975 provides that the Chancellor has when the emergency arises have the right to, suspend or discuss any of the authorities of the University; and take necessary measures.
Section 42 of the Allahabad University Act, 1971 provided that if any question whether any decision of the University or authority is in conformity with the Act or Statutes there of, the matter shall be referred to the Chancellor, whose decision shall be final.

In *L.N.Mathar V The Chancellor, Lucknow University*, the case involved selection to the post of Reader in the Faculty of Law, of Lucknow University. The Selection Committee has placed L at No 1, A at No 2, V at No-3. The Executive Committee instead of recommending "L" recommended "A" and made a reference to the Chancellor under Section 13(8) of the UP State Universities Act 1973. On the references the Chancellor accepted the recommendations of the Selection Committee. It was held that Chancellor should have stated the reasons. Although not a tribunal he is expected to act quasi-judicially.

The sweep of the powers of the Chancellors, to annul by proceedings of the Senate, Syndicate, Academic Council, or any other Authority, which is not in conformity with the Act and Statutes under Section 5(7) of Utkal University Act, 1966 was considered in *N. Charan V Chancellor, Utkal University*. Usually such powers are kept in reserve and not exercised to our side the power of the duly elected authorities of the Universities. In this case Board of Examiners appointed by the Syndicate recommended the award of Ph. D degrees to the petitioner and recommendations was approved by the Syndicate. But Chancellor directs the University not publish the results. The Chancellor's action was based on the complaint by the examiner who was changed by the Syndicate. The Chancellor after full enquiry, annulled the resolution of the Syndicate, and directed it to constitute a fresh Board of Examin-
ers. The petitioners contention that Chancellor, acted beyond its powers was rejected by the Court. It was observed by the Court, that Chancellor powers was not circumscribed by any limitation or exception, provided that he was satisfied that proceedings of the Syndicate were not in conformity with Act or the Statutes.

As is evident from the case law, and other controversies, it is submitted that Governors of the State be kept out of the University System, and only distinguished academicians should be appointed as the Chancellors of the University, as is the practice in the West.

Conflicts of Interests --- some incidents

1. 1969, for the first time Mr. Dharma Vira, the Former Governor of West Bengal and Mysore expressed the view that while performing his functions as the Chancellor, the Governor was not bound by the advice of the Chief Minister.

2. The Governor of Orisa Mr. S. A. Ansari, as the Chancellor of the University ignored the recommendations of the Cabinet in the year 1971 and approved Dr. C. N. Nanda, as the Vice. Chancellor of the University. Mr. B. Das the then Chief Minister met the Governor and requested him to revise his decision but Mr. Ansari refused.

3. Mr. Ramlal the Governor of A. P. as a Chancellor of the Veketeshwara University ignored the recommendations of the Chief Minister Mr. N. T. Rama Rao's nominee Mr. I. J. Naidu IAS as the Vice - Chancellor and appointed Mr. B. N. Reddy as the Vice - Chancellor.

5. Mr. A. P. Sherma, the Governor/Chancellor of West Bengal appointed Vice - Chancellor of Calcutta University against the recommendations of the West Bengal Chief Minister Mr. Jyoti Basu.

6. Govind Narayan Singh the Governor of Bihar appointed 7 V.C of his choice in seven Universities ignoring recommendations of Chief Minister Bhagwat Jha Azad.

1:4:2. Pro-Chancellor

The practice of making Chief Minister of the State or even the Minister of Education or Minister of Agriculture in case of Agricultural University, as the Pro-Chancellor, with enormous powers to control the working of the University is in many ways academically unsound and bad. It leads to political interference in the University affairs and under mines the University autonomy. The provisions in the University Acts has been justified on the plea that the State Government which supports the financial needs of the University has the right to call the University accounts. The Government says that there can be no autonomy without accountability. But is this the way to ensure the accountability. Instead of ensuring accountability its converts the Universities into Departments directly under the control of Government. In the State of Jammu and Kashmir under the Kashmir and Jammu Universities Act, 1969 the Chief Minister is the Pro-Chancellor, while the Governor is the Chancellor of the University. The Pro-Chancellor
even presides over the University Council, this brings direct influence of the State politics to bear on the University. One can simply imagine what real influence the Vice-Chancellor can carry in the august presence of the Governor and the Chief Minister in the most important decision making body of the University. The Vice-Chancellor is totally left at the mercy of the support from the political leadership. So the autonomy of the University in such circumstances become meaningless. The Act has a unique provision under Section 11(3) which empowers the Pro-Chancellor even to setup an enquiry in the affairs of the University without even consulting the Chancellor or Vice-Chancellor. This sweeping power vested with the Pro-Chancellor of conducting inspection and enquiry in any matter connected with the University, has coverted the Kashmir University as one of the Departments of the Government. The Vice-Chancellor, is always under constant pressure on this account.

It is humbly submitted that there should be no such provi-
sion in the Act, where by Pro-Chancellor, is vested with sweeping powers as is provided in the Kashmir and Jammu University Act 1969. It is high time that the Act be amended and Section 11(1) to 11(6) be repealed, so that the academic freedom is guaranteed to the University of Kashmir.

1:4:3. **VICE - CHANCELLOR**

The Vice-Chancellor is the kingpin of the University administration. All academic influence and administrative powers seem to be centred in him. The V.C's are expected to embody the spirit of academic freedom and the principles of good management in the University. A competent V.C exercises a positive impact on
the total work culture of the University. He should have quality of foresight, clarity, quick action, honesty and impartial attitude. The Vice-Chancellor is both administrative and academic head of the University. The Vice-Chancellor may act decisively or may refuse to act, or act wisely or stupidly. His action may be effective or ineffective or, he may attempt to govern or refuse to do so. Whatever, may be his indications and abilities, his role in the University governance is undisputedly an important one, at least potentially. But to act, to guide, to lead, he must have articulated a mental model of a University as an Organisation. Without it the University ceases to be; it becomes a mass of unrelated activities and people. He must have a model of University Governance. An integral and critical part of this model of University governance is a "image" the Vice-Chancellor has of his office; what role does it have in University decision making, how is a Vice-Chancellor to be evaluated, what constitute success or failure.

Vice-Chancellorship is highly visible and prestigious. It is coveted and often bitterly contested. The intense politicking by numerous candidates that follows a vacancy certainly indicates the importance of the Vice-Chancellorship in the minds of large segments of the well educated populace. If media coverage, intense lobbying, are political involvement, are any indications a Vice-Chancellor of a University is certainly an important matter. Given the immense interest their appointment arouses, gives the indication of the immense importance of the position and the key role it has to play in the development of the University.

The position of Vice-Chancellor as perhaps "the most problematic position" being the king-pin of the University his
position continues to be challenging and attractive. Inspite of the steep devaluation of the office particularly in post independence era, and, harrowing tales of humiliation and degradation, the V.C's office still commands some difference and perhaps certain amount of respect from intelligentsia. Despite the unsavory developments, a great deal of interest is always generated at every entry and exist.

The V.C's functions can be broadly divided into Administrative and developmental. The administrative functions relate to: maintenance of Campus peace, regular conduct of classes; maintenance of laboratories and libraries; conduct of teachers; student discipline; supervision on personal administration, development, financial administration and framing of rules. Besides in view of large number of admissions in the University, the Vice-Chancellor's role as the peace keeper is also emphasised. Some V.C's are lucky e.g. in Madras University the Vice-Chancellor was allowed to concentrate more on developmental activities. Some are unlucky and get involved in teachers or students agitation, and in the process his real effectiveness is lost.

The other main function of the University Vice-Chancellor is development i.e. to improve the quality of the teaching and research in the University, to setup new courses of excellence and to improve the academic image of the University. These functions are progressive, and change oriented and require lot of initiative, V.C has to act as the planner and innovator. However, development in the University pre-supposes peace, freedom to think and cooperation from within and without.
Usually in the first meeting with the University officials and teachers, V. C spells out his ideas about the total role envisaged for him. V.C should not normally interfere with lower functionaries being the final point of reference, his appellate authority, his direction should be for over all growth and development. Vice-Chancellor has to husband, the financial resources carefully because all the State Universities, including the University of Kashmir essentially suffer from a State of chronic deficit.

1.4.4. Qualities of Successful Vice-Chancellor

What kind of person makes a successful Vice-Chancellor. A Vice-Chancellor in order to be successful should have:

-- a profound knowledge of University System;

-- a vision of academic future;

-- empathy with the members of the University community;

-- a relationship of understanding with Government;

-- support from University Grants Commission and; above all;

-- a missionary zeal and high level of integrity.

The Vice-Chancellor effectively withstand the pressures of dynamic and turbulent environment. Moreover, he should be able to
convert every challenge into an opportunity. This is tall order and in practice very few persons can do it.

The Vice-Chancellor should be able to secure the cooperation of all sections of society. According to M. Y. Mathur, "If a professor with some flair of administration is called upon to function as Vice-Chancellor in his own University, he should do it for a single tenure and then, hopefully get back to his chair. It would be very nice if a University can boost of having several of its ex-Vice-Chancellors in its campus."

However, academicians have some disadvantages too, as put by Syed Hashim Ali.

"Academicians are not used to exercising powers, and when they get that power, towards the end of their career, they use it with retrospective effect."

The power used properly is a great responsibility, but for most people the real pleasure of power lies in its misuse.

The second requisite for a successful Vice-Chancellor is to be his honesty, integrity, impartiality and independence. It will be proper if a person with the reputation of having these qualities is inducted in this office. The success of the Vice-Chancellor will lie on the incumbents reputation of being above board and meticulously correct.

Yet another quality which a Vice-Chancellor should possess is the high character in public and private life. He should have a highest courage of an dignified individual and a reputed scholar.
He can protect himself only on the grounds of moral character. He should have wonderful understanding of the University System. He has to provide academic leadership which will stop the drift towards mediocrity. Besides he should be able to develop a good report with the Government i.e. Chancellor and Pro-Chancellor.

1:4:5. **Filling of the Post : Appointment**

The Vice-Chancellor is the principal executive and administrative and academic officer of the University. He is generally selected for appointment out of the names given in a panel prepared and recommended by a Committee constituted for this purpose under the provisions of the Act and Statutes. Under Section 12 of the Poona University Act, 1948, the Vice-Chancellor is the principal academic and executive officer of the University. Under Statute 4(1) of the Rohtak University Act he should take rank next to the Chancellor and shall be the ex-officio Chairman of the Executive Council, the Academic Council and the Finance Committee. The Vice-Chancellor is the principal executive of the University and also the Chairman of the Syndicate. Section 14(1) of the Madhya Pradesh Vishwa Vidalaya Adhiniyum 1973 states that the Kulpati shall be a whole time salaried officer of the University and his emoluments and other terms and conditions of service shall be prescribed by the Statutes.

Section 13(1) of the Kashmir and Jammu Universities Act, 1969 says that Vice-Chancellor shall be the principal executive and academic head of the University. He shall be ex-office chairman of the Academic council and such other authorities as are provided under the Act.
Under Section 23(1) Vice-Chancellor, shall be the Chairman of the Syndicate. Besides under the Statutes, the Vice-Chancellor shall be the Chairman of the Finance Committee, Selection Committee; Committee for Development of the University, Committee for appointment of Paper Setters, Committee for Scrutiny of Unfair Means/Misconduct Cases. Result Publication Committee, etc.

1:4:6. Appointment of Vice-Chancellor

As regards the appointment of the Vice-Chancellor it is necessary that procedure for the selection of the Vice-Chancellor prescribed by the University law should be followed.

1. Section 12 (2) of the Mysore University of Agricultural Sciences Act, 1963 states inter-alia, that the Chancellor shall appoint the Vice-Chancellor from the panel of 3 persons recommended by a Committee consisting of

a) the Pro-Chancellor, as ex-offices Chairman; &

b) the members of the Board other their the Vice-Chancellor.

Section 12(3) of the said Act provides, inter-alia, that if the Committee fails to submit a panel within period so specified, the Chancellor may appoint any person whom he deems fit to be the Vice-Chancellor. In a leading case of Rudriah V Chancellor, University of Agricultural Sciences it was held that:

i) the power of appointment of Vice-Chancellor is con-
ferred on the Chancellor, who is guided by the recommendations of the Committee

ii) If in any particular case the power is used arbitrarily or capriciously, such exercise of power can be challenged in the Court of law. It was further observed that:

a) Assuming that the procedure adopted by the Committee while deciding the Panel of names recommended to the Chancellor was violative of principles of natural justice, a plea of violation of natural justice is not available, where the Statutes have provided for the said procedure;

Section 12(2) of the Act, does not provided that persons whose names are included or proposed to be included in the panel of 3 names to be sent to the Chancellor, should not be the members of the Committee or should not participate in the proceedings of the Committee. Whether members whose names are included or proposed to be included, in such panel, should or should not participate in such proceedings, is a matter of propriety and not of legality.

ii) Section 11(4)(i) of the Allahabad University Act 1921, provides as follows:

i) The Committee referred in sub-section (1) shall consist of three persons namely:

a) one person, not being a person who is connected with the University, a College, an Associated
College; a Hostel to be elected by the Executive Council.

b) another person who is or has been a judge of the Allahabad High Court.

c) third person to be appointed by the Chancellor who shall be the convener of the Committee65.

The expression 'connected with' is of wide correlation. In such situations, the expression should be interpreted in the context in which the expression occurs, the object sought to be advanced by the enactment and the mischief sought to be suppressed.

The word "connected" means:-

a) intimately connected for
b) connected as to take pressure or be unable to act independently.

The object behind the enactment is to ensure that the names recommended to the Chancellor, from which he has to appoint a Vice-Chancellor, will be suggested by an impartial and independent Committee, so constituted as to preclude the possibility of recommendations being influenced by hope of favour or the fear of prejudice from the person who may be appointed as the Vice-Chancellor66.

Section 11 (4) (i) (b) of the Allahabad University Act, 1921 inter alia, reads as under:
1) The second member of the Committee is to be nominated by the Chief Justice of the Allahabad High Court.

2) The nomination must be of a person who is or has been a Judge of this Court.

The Chief Justice of Allahabad High Court appointed himself as the member of the 'Search Committee.' This appointment was challenged in *Kashi Nath Misra V Chancellor, Allahabad University*. The Division Bench of the Court held that:

The Chief Justice is not comprehended in the expression "Judge" as used in Section 11(4)(i)(b) of the Act, because the Act has used two different expressions that the "Chief Justice" and "Judge" in the same clause and it was referring to two different officers.

The provisions of the Indian Constitution also show that the office of the Chief Justice is distinctly different from that of a Judge, and normally the Chief Justice is called the Chief Justice and not the Judge. Therefore in the expression of "a Judge" the Chief Justice is not included. Besides the Chief Justice of the Allahabad High Court was a member of the Executive Council of the Allahabad University, therefore connected with it hence, Chief Justice cannot nominate himself on the Committee for submission of names to the Chancellor for appointment as the Vice-Chancellor.

iii) Section 11(2) of the Jabalpur University Act 1956 provides that:
a) The Chancellor shall appoint a Committee of three persons.

i) two of whom shall be appointed by the Executive Council by single transferable vote from amongst persons not connected with the University or a College, and

ii) the third shall be nominated by the Chancellor.

b) The Chancellor shall appoint one of the three persons as the Chairman of the Committee.

Section 11 (3) lays down that if the Executive Council fails to choose its nominees on the Committee, then:-

a) Chancellor may nominate any two persons, and

b) the persons so nominated shall be deemed to be nominated by the Executive Council.

If the selection of 2 persons made by the Executive Council is invalid or ineffective for any reason, the Executive Council should be required to make fresh selection, than it has to elect two persons by single transferable vote. It is not permissible for the Chancellor to make nominations of his own.79

In an interesting case of Radriah V Chancellor, University of Agricultural Sciences70 the Chancellor under the powers vested in him under Statutes 17 of the Mysore University of Agricultural Sciences, prescribed qualifications for the appointment as Vice-Chancellor as:
a) He should be person of integrity & character;

b) high reputation;

c) should preferably a person with adequate knowledge in Agricultural and Allied fields;

d) should possess academic and research experiences

e) accomplishment;

It was held that laying of qualification by the Chancellor, has no legal sanction.

iv. The Gujrat University Act, 1949 contained a provision for the Constitution of the search Committee for recommending a panel of names for appointment as the Vice-Chancellor two out of the three members of the Committee had to be persons not connected with the University or with Affiliated colleges or Approved institutions. When one member of the Committee was the member of the Governing Body of a college, he was held to be disqualified to be a member of the Committee. But a Vice-Chancellor nominated to a Committee was not disqualified as he was not connected with Gujrat University.

Thus different Universities have different methods of appointment but all these methods have the same object viz to make the selection of the Vice-Chancellor free from narrow consideration and to
ensure that the selected candidate is able to maintain the purity and dignity of the high office.

vi. Section 12(2) of the Kashmir & Jammu University Act 1969.

The Section 12(1) Act reads as

1) The Vice-Chancellor shall be appointed by the Chancellor and consultation with pro-Chancellor, from amongst the persons whose names are submitted to him by a Committee constituted in accordance with the provisions of sub-section (2).

Section 12(2) the Committee shall consist of three persons:

a) Two persons "not connected" with the University or any Constituent or Affiliated College of that University to be nominated by University Council.

b) A third person not connected with the University or any Constituent or Affiliated College of that University to be nominated by the Chancellor, who shall also be the Chairman of the Committee.

Section 12(3) The Committee constituted shall submit a panel of three names to be Chancellor for appointment as the Vice-Chancellor.
Like other University Acts, the Kashmir & Jammu University Act 1969, also provides a procedure for the appointment of the Vice-Chancellor. However, no definite schedule is prescribed for the selection of the V.C. In fact, the whole process of appointment of V.C should be completed before the office of the V.C falls vacant and the Chancellor does not have to make any officiating or adhoc arrangements. Actually, the University Council should be convened 3 months before the vacancy, but this is seldom adhered to. It should be a statutory duty of the Vice-Chancellor to convene the meeting of the University Council and start the process six months before the expiry of his term. If for any reason the University Council fails to nominate two persons, then Chancellor should have the power to nominate the person in accordance with the Section 12(2)(a). The Committee shall not indicate any order of preference. The names recommended should be numbered and sir-names be arranged in alphabetical order.

Section 12(4) says that "if the Chancellor does not consider any of the person on the panel recommended by the Committee suitable for appointed as Vice-Chancellor, he may direct the Committee to prepare a fresh panel of three names for submission to him or may direct to constitute a fresh Committee for this purpose.

Under the Act, the Chancellor is the sole authority in consultation with Pro-Chancellor to determine as to who is the person of "academic eminence". No qualifications have been laid by the Act, for determination of academic eminence of the person to be appointed as the Vice-Chancellor. Besides Section 12(1) says that 'Vice-Chancellor' is to be appointed by Chancellor in consultation with Pro-Chancellor. The Pro-Chancellor is usually the Chief-Minister of the State. This clause is likely to bring politics in
the appointment of the Vice-Chancellor. It is submitted the Vice-Chancellor should be appointed by the Chancellor or Governor of the State independently and he should not be forced to consult the Pro-Chancellor or the Chief Minister.

11417. Resignation of Vice-Chancellor

Under sec.12(4) of the Rajasthan University Act,1946 the Vice-Chancellor may, at any time relinquish office by submitting not less than 60 days in advance of date on which he wishes to be relieved, his resignation to the Chancellor.

This Section has been enacted with a definite purpose to enable the Chancellor to have sufficient time to make necessary arrangement under Section 12(7) of the Act, so that the duties of the office of the Vice-Chancellor may be carried on, in the event of his resignation. It is not meant to give out-going Vice-Chancellor time to withdraw the resignation.

Section 12(7) of the Kashmir & Jammu Universities Act,1969 provides:

"Where a temporary vacancy in office of the Vice-Chancellor occurs by reason of resignation illness, leave or other cause, the University Council shall report the same to the Chancellor, who shall make such arrangements for the carrying on the duties of the Vice- Chancellor as he thinks fit."

This provision is not clear, it is submitted that a similar provision as provided under Rajasthan University Act be incorporated in the Act so that Chancellor is provided with sufficient
time to make alternate arrangements in event of the V.C.'s resignation illness etc and University is saved from facing any difficulty.

1141. Removal of Vice-Chancellor

All the University Acts lay down a procedure of the removal of the Vice-Chancellor. The office of the Vice-Chancellor is an important public office and the Vice-Chancellor is always held in high esteem by the people. Therefore the removal of the Vice-Chancellor is not an easy matter.

In Kashmir and Jammu Universities Act, 1969, Section 12(5) inter-alia States,

"The Vice-Chancellor shall not be removed from office, except by order of the Chancellor passed in consultation with Pro-Chancellor on the grounds of mis-behaviour or in capacity, or if it appears to the Chancellor that continence of the Vice-Chancellor in the office is detrimental the interests of the University after due inquiry by such person who is the Judge of the High Court to be nominated by the Chancellor in consultation with the pro-Chancellor."

The Vice-Chancellor shall have the opportunity of making a representation against such removal.

The power of removal of the Vice-Chancellor is to be used in exceptional cases and that too where some grave or serious allegations of mis-conduct or corruption or immorality have been successfully leveled against him. In some other cases where the
Chancellor is satisfied that situation has arisen in which the administration of the University cannot be carried out in accordance with provisions of the University Act. The Chancellor in consultation with the Pro-Chancellor can remove Vice-Chancellor. But in that case too proper Inquiry Committee, headed by the Judge of the J & K High Court is to be constituted. The Vice-Chancellor is allowed to defend his case.

In Bool Chand V Kurkshetra University, there were allegations that the appellant who was appointed as the Vice-Chancellor was found guilty of gross misconduct and indiscipline while working as the District Collector, and he was charged for removing official property illegally and for these acts he was compulsorily retired. The Chancellor after due inquiry terminated the tenure of the office of Vice-Chancellor. The Appellant took the plea that once he was appointed for a fixed period he shall not be removed before the said period as there was no such provision in the Statutes of the Kurkshetra University Act. Secondly there was violation of rules of natural justice. The Supreme Court rejected both the arguments and held that

"Once the power to terminate employment was with the Chancellor he could remove him even before the expiry of the fixed period and there was due enquiry before the termination." Therefore there was no violation of rules of natural justice.

The Vice-Chancellor, Osmania University V Chancellor, while the petitioner Vice-Chancellor was in office the University Act was amended. By this amendment his term came to an end in 90 days. There was a provision in the Act which provided certain procedural
safe-guards to future Vice-Chancellor's, but under the amended Act, the existing V.C was denied this safe-guard. It was held that the statutory provision which had the effect of removing the present V.C within 90 days is violation of Article 14 of the Constitution. The Court did not find any rational basis for differential treatment being accorded to the existing and future Vice-Chancellor.

Thus the power to determine the employment of the Vice-Chancellor is coupled with a duty. This power cannot be exercised arbitrarily but can only be used for good cause i.e. in the interests of the University and only when it is found, after due inquiry held in a manner consistent with the rules of natural justice, that the holder of the office is unfit to continue as Vice-Chancellor.

14:19. Emergency Powers of the Vice-Chancellor

All the University Acts provide for the "emergency power" of the Vice-Chancellor to akin him to deal with unforeseen situations. This power of the Vice-Chancellor is extra-ordinary one and he should use it within the four corners of the Statutes. A capricious use of the emergency powers would be bad. Normally under the Act the emergency power exercised by the Vice-Chancellor has to be approved by the University Council or Executive Council of the University. His action is only tentative and can be removed by the University Council.

Emergencies do occur when the Vice-Chancellor has to take action immediately without further loss of time. Errors in the Examination results, disturbances in the campus, or if the opinion
of the Vice-Chancellor such emergency exists, he is free to take action. After taking action it is his duty to report his action, at the earliest opportunity to the competent body or Authority e.g. University Council.

Section 13(4) of the Kashmir and Jammu University Act, 1969 reads as under:

"The Vice-Chancellor can take action as he deems necessary, in any emergency, which in his opinion calls for immediate action. He shall in such a case, and as soon as may be thereafter report his action to the officer, authority or other body of the University who or which would ordinarily have dealt with the matter".

Under Section 13(4) of the Act, Vice-Chancellor is no doubt the sole judge of the existence of the emergency, calling for immediate action, the Court generally will not question the existence of an emergency or the propriety of the action taken by the Vice-Chancellor, without reference to the University Authority. It is submitted that this view has not been accepted by the Courts. The Vice-Chancellor cannot be the sole Judge of the existence of an emergency. An emergency should not have been created by the V.C himself but it should have been created by some other agency in the creation of which the Vice-Chancellor or the University should have no-hand. There can be only one exception to this that is situation created by an error or omission e.g. errors in examination results or in discipline at the campus. Because the Vice-Chancellor wants to take some action, he cannot create an emergency to justify his action. This would be misuse of emergency powers. The unforeseen situations either should develop by themselves
or they should have been developed by some other agencies. Because a Vice-Chancellor wants to appoint a person he cannot say that an unforeseen situation has arisen and therefore the exercise of emergency powers has become necessary for making such an appointment. The emergency should not be artificial but real.

On the simple reading of the Section 13(4) following conditions need to be satisfied before the action of V.C could be held as just:

i. that emergency was real and not artificial;

ii. that such an emergency called for an immediate action on the part of the Vice-Chancellor;

iii. that it was not possible to take action in ordinary course;

iv. that emergency powers were not used in a manner which would mean usurping power which the University authorities did not have under the University Act, Statutes and Ordinances.

Before the Vice-Chancellor takes action in emergency he should see that the powers which he is exercising have been vested in the University authorities or body under the provisions of the Act. The University of Delhi was dragged to the Court for access committed by the highest authority the Vice-Chancellor. The Vice-Chancellor removed one of the members of the Governing Body
of Daulat Ram College on the grounds that he made a remark i.e.
"some women deserve to be burnt" in its meeting. No show cause notice was given, nor the principle of natural justice were followed. The Vice-Chancellor exercised his emergency power under Statute 11(G)(4) which authorised him to take emergent action.

"If any emergency arises which requires that immediate action should be taken".

In this case Executive Council of Delhi University was scheduled to meet next day, when V.C exercised his power and action, nothing was stated as to what would have happened if such action was not taken. The Delhi High Court declared the action taken by the Vice-Chancellor was not warranted. Again in Navneet Bansal V Vice-Chancellor, Delhi University the Court once again was moved to adjudicate the validity of V.C's action. Under clause 11-B(4) of the Statutes framed under Delhi University Act 1992, authorised the V.C to take such action, as he deemed necessary, if in his opinion emergency arisen, which required such action. The case referred to "Admission of best out of creamy layer to MBBS course. The action of V.C effected the Merit list. The V.C's action was challenged on the ground that no 'emergency existed' which warranted any such action. The Court quashed the action on the ground that there existed no emergency and neither V.C applied his mind. In University of Allahabad V A. Chand Tripathi Section 13(6) of the UP State Universities Act, 1973 enabled the Vice-Chancellor to take such action as he may deem fit, if any matter is of some urgent nature, requiring urgent and immediate action, and same cannot be dealt by officer or authority under the Act. As there was no Executive Council. The Vice-Chancellor in exercise of his emergency powers constituted an Admission Commit-
tee for introducing and conducting Entrance Test for admission to
degree courses in Arts, Science and Commerce. Latter the action of
the Vice Chancellor was approved by the Council. The action of the
Vice-Chancellor in constituting of the Committee was challenged on
the plea that no emergency of any kind arose to warrant action
taken by Vice-Chancellor. The Supreme Court held that Admission
Committee was validity constituted. The Court held that in absence
of University Council, the only way out to constitute the Commit­
tee was the exercise of the power vested with the Vice-Chancellor
under the Act. The Court further directed the University to forth­
with announce the names of the candidates selected for admission.

Thus the Vice-Chancellor of a University is vested with
emergency powers, it is his duty to see that these powers are used
in real emergency and such emergency must require urgent and
immediate action on the part of the Vice-Chancellor. This power
cannot be used for appointment of a Lecturer, Professor or any
officer in the University, because such situations or positions
cannot be called as emergency.
Governing Bodies

Though there is considerable variation in the composition role and responsibilities, operating habits etc of various governing bodies in Indian Universities there is common overall pattern. All the Universities have four major governing bodies i.e. (a) the Executive Council, (b) the Syndicate (c) the Academic Council and the Faculties. In addition there are other Boards of Studies, Finance Committee and Selection Committees.

1:5:1 1. The Senate/Court/Executive Council

The University Court/Senate is the supreme Authority of the University with power of making, amending and replacing the University law and of the revising the acts of Syndicate and Academic Council. The University Courts has also the power to pass a no-confidence motion against the Vice-Chancellor.

The election of the members of the University Court has created a lot of legal controversies. In Babulal Sharma V Vice-Chancellor the election of the respondent, as a member of the Court was declared as illegal, because he was elected to the Court as a registered graduate, and, his graduate degree was not a valid degree as he had secured the degree from unrecognised Institution. In Satish Chander V Rajasthan University, the University Act Provided for the election of two, non teaching members of the Senate to the Syndicate. But by the University Ordinance a restriction was placed prohibiting the employee of the University from seeking election. The Court held the Ordinance to be ultravirus as the Act did not impose any such restriction.
Section 21(1) of the Kashmir and Jammu Universities Act 1969, provides for the University Council as the Supreme authority of the University and Section 22(1) to (6) gives powers and functions of the University Council. The University Council of the University of Kashmir, is vested with powers to make Statutes under the Act, award and repeal the same, approve financial estimates, approve plans of development, and appoint officers and teachers.

The Syndicate:

The Syndicate is a compact body, made up of fifteen to twenty members. It is usually composed of academics and non-academics in equal numbers. It includes the representatives and nominees of the State. The Vice-Chancellor, is the Chairperson of the Syndicate. The Syndicate is the Chief Executive body of the University. Its central power is to make rules regarding admissions, fees, discipline, residence, course of study, service conditions etc. It usually meets once in a month. It is the most active and authoritative of all governing bodies in the University.

Section 23(1) of the Act states that

"Syndicate shall be the Chief Executive Authority except in respect of the matters falling within the purview of the University Council concerned in accordance with the provisions of the Act."

Section 24(1) to 24(1)(w) gives the powers of the Syndicate. The Syndicate has the power of framing Budget Estimates, recommend
for draft Statutes or Amendments, hold and control and the administration of funds, property and other assets of the University, appoint officers and Teachers, and give affiliation to Colleges etc.

The Syndicate is the principal organ of the Management in the University. Being the highest Executive authority in the University it should be a compact body capable of functioning with unity of purpose. It should be an instrument in running the University administration and academics effectively, and to see that the larger objectives and the purposes for which the University has been established is fulfilled.

The Syndicate should take policy decisions in consultation with teachers, and whenever necessary with non-teaching employees. But for all routine matters powers should be delegated to different officers, with clear rules provided to take appropriate decisions and to be responsible for the same. This would make agenda of the meetings of the Syndicate more meaningful and not burdened with items of least consequences.

The Syndicate should represent different segments of the University such as various Faculties, Colleges and Teachers in general as well as government and public. There shall be no provision for the election of the members of the Syndicate. Outside experts too should be nominated by the Chancellor, from the panel recommended by the Vice-Chancellor. There should be no place on the Syndicate for politicians.
The Academic Council

The third governing body is Academic Body is concerned with only academic matters. Its size depends on the Faculties, and, Departments of the University. The Vice-Chancellor always serves as the Chairman of the Academic Council. Section 25(1) provides for the Academic Council and Section 26(1)(a) to 26(1)(h) gives the powers of the Academic Council. The powers and functions are as under:

-- to control and regulate the teaching and examination

-- to prescribe syllabi

-- to modify or revise the Constitution of faculties

-- to advice Syndicate and University Council on Academic matters.

Section 26(3) provides that Academic Council of the University shall have the power of appointing Standing Committee of Academic Council. The Academic Council thus has the power of regulations, the third level of rule making. However, the regulations must pass through the Syndicate and be approved by the University Council before taking effect.

The Faculties:

The Faculties are the broadest subject Units of the Academic Organisation. They deal with general Academic Matters concerning the content of courses, organisation of teaching, supervision of
examination. They meet infrequently, once or twice a year. The Faculty is headed by the Dean, either appointed or elected from senior members of the Faculty. As a body it is made up of the Heads of the Departments, Professors of the University Departments and Senior teachers, and Principals of the Affiliated Colleges pass through this body. It is usually empowered to carry out the provisions of the Act and Statutes. However all the Ordinances must be approved by the Senate or Executive Council.

Faculty includes Deans, Departmental Heads, College Principals, Teachers, Chosen by election or seniority. It has the responsibility for entire education programmes, determination of admission, requirements, curriculums, courses of study, examination and degrees, and therefore, has the responsibility of maintaining academic standards in the University.
VI

The education is consisting of two major components namely:

a) Formal System, and
b) Non-Formal System.

The Formal System of education in the Conventional Universities confine itself to on-campus class room teaching alone. The system may not long last, because in the past the University had only scholarly functions i.e. preservation of knowledge, creation of knowledge and communication of knowledge. Today, it is universally accepted that Universities have developmental functions also. Universities now are supposed to bring a socio-cultural change in the society. Once the University takes up the responsibility outside their campus, use of distance education, method in one form or the other will become inevitable. Therefore we see a transformation of every University to the dual mode of education system. In Tamil Nadu all general Universities are functioning in dual mode. In Kashmir University, though no dual mode system at the University level is available as yet, still the number of the students in distance education programmes, offered by Department of Distance Education are double the number of students enrolled in entire University.

In Conventional and Distance education system consists of teaching and self study. Face to face instructions and self study form a spectrum in which the ratio of two varies in the two systems. Even in distance education system face to face teaching is modest in the social sciences but in science and technology courses it is significant (long contact programmes are provided for
Science courses). The difference in the two systems is that of methodology only. In Distance Education stream the thrust on self-study supported by the use of technology, and face to face contact class, has endowed the education system with enormous capacity for higher productivity and greater flexibility.

In the case of Open Universities, though they have only 25 years of history, against 900 years of history of Conventional Universities, there is considerable diversity in the structure and Management though the main academic awards are common with the Conventional System. The open learning system have following models:

1) Single - mode University
2) Dual - mode Universities with common Academic Staff and common programmes
3) Dual - mode Universities with an Institute or Directorate of Distance Educations, having its own staff.

The management of the Conventional System, the experience is spread over centuries, but still we do not know how best to manage the Conventional academic institution. The management of University System still remains some what complex. The regulations and creativity often conflict with each other, making the system more stereotyped. In case of the Open system the problem is more formidable. It is hybrid system comprising Education and Industry. The Conventional System has two sub-systems namely:

i) Academic Sub-system, and,
ii) Administrative Sub-system.
The Academic system in a Conventional University is structured and managed by the University Council, the Syndicate and the Academic Council and Administrative Sub-system is looked after by the Vice-Chancellor, Registrar and his team of officers. The Open learning system, with the addition of industrial features have three sub-systems; namely:

i) Academic Sub-System;
ii) Industrial Sub-system, and,
iii) Administrative Sub-system.

The academics in the Open University System do not have as much freedom as their counterparts in the Conventional System. They have to pay greater attention to the relevance and the needs of the customers. They also have to adhere to the time targets, and, as they are open they are vulnerable to public assessment and criticism of their products. Since in the Open Universities, academicians are designated same as their counterparts in the formal system, yet different skills and expertise is required to shoulder altogether a different responsibilities involving the concept of productivity. The management of academic sub-system, to balance between the academic autonomy on the one side, with the needs of the customers and production targets on the other is a delicate task.

The Academic System in the Open learning Institutions do operate through Academic Council, Board of Management and the Planning Boards and Administration is carried by number of officers. So the two system vary in its composition of the bodies/authorities. Besides the Open University has also an industrial component like printing operation and distribution of study material, it is a different to be as rigorous as the industry.
The single-mode Universities like Open Universities have greater academic freedom and can offer both innovative and Conventional programmes depending upon the needs of the society. The Open Universities do offer Graduate and Post-graduate courses, similar to those offered by the Conventional Universities. This is mainly because the objective of the Open Universities is also to cater the needs of those who dropped out from the schools to resume studies on part-time basis and acquire the qualifications. Similarly, Open Universities are free to develop innovative, need-based, job-oriented programmes to suit the needs of the learners. The large Open Universities like IGNOU have established Regional Centres where both academic and non-academic staff has to work. These Universities also open Study Centres where the students have interaction with the University. These Universities have now gone ahead with academic programmes in applied fields like Engineering, Technology, Agriculture, Para Medical Courses, etc. The Open Universities offer programmes to meet the manpower needs of the economy, obviously the difficulties do arise in the choice of the programmes. The proposals of programmes are initiated by the Department within a Open University and are placed before the Planning Board, the courses are seriously vetted keeping in view the target and manpower needs of the society with the help of data. The flexibility of the system can be judged from this point that course once accepted can be stopped after three to six years depending on the fulfillment of the needs and targets.

In Dual-Mode Universities, where same courses are offered as the formal system, and also use the same academic staff, the problem is simple as long as the staff of the Conventional Departments show the interest and willingness. The system operates either with the same structure as is available within a Conven-
tional University or some separate organisational structure may be provided or some Dean of the Faculty, may be given the additional charge to look after the dual-mode students or learners. This system generally permits the students on the campus for semester or two and become distance learners for one or more semesters or alternate between on and off campus status, provided the number is manageable and can be handled on the campus. In this system the dual-mode of distance learning has to operate through the Authorities viz. University Council, Syndicate and the Academic Council of the Conventional University. The Academic staff of the dual system is usually reluctant to work for the distance mode. In such a system need is to recruit the academic staff stating that they are the part of Conventional System and also the Distance Education System.

In the case of dual-mode Universities with separate Faculty of Non-Formal Education or Directorates of Distance Educations, with separate administrative setup, as is the case of University of Kashmir, which has established an independent, fulfledged Faculty of Non-Formal Education, and Department of Distance Education, the situation of Open learning is not very happy one. The Department of Distance Education has not been given any Academic freedom but has to operate within the parameters of the Conventional System. It is necessary that the Open University component should enjoy more academic administrative and financial autonomy. Excepting perhaps the Board of Management or Advisory Committee, and the Vice-Chancellor, nothing significant could be common. It must be thought of Open University and Conventional University functioning as two parallel units with minimum links at the top within a Conventional University. Some programmes may be common, for example written examination may be common, or some common
courses may be offered by the Distance Education Department where the University feels the need. For innovative and open-learning course, Department of Distance Education should be given total autonomy.
UNIVERSITY AUTONOMY AND ACCOUNTABILITY


The idea of autonomy i.e. self governance stems from the role and objectives of a system in the broader social framework. A system which is supposed to play a catalyst's role and be dynamic in nature has to have characteristics of self-governance, of course, within broader social objectives. Education, specially higher education has always been visualized as a catalyst for social and economic development, as it helps in developing social capabilities through knowledge, skills and values, attaining greater heights in these by responding to changing needs of the society. Keeping this thing in view the Universities in India have been given autonomy in functioning.91

Some of the questions relating to autonomy can be:

1) What is autonomy? What are the areas and the extent to which autonomy can be granted?

2) What are the mechanisms of the accountability?

3) How does autonomy help the Institutions to respond to the needs of the community, state and nation?

4) How does autonomy help in promoting equity and excellence with relevance?

5) How does autonomy help in speedy decision making, evolving effective administrative procedures, mobilization and utilization of resources?
6) What is an autonomous Institution?

7) How does autonomy change the responsibility and accountability?

8) What are the constraints of autonomy, as imposed by State and University?

1:1 Autonomy: Concept:

The academic freedom implies that a teacher cannot be ordered or required to teach something which goes against his conscience or conflicts with his conception of truth. The academicians should be free to express their views however radical, within the class rooms and outside, provided they are careful in presenting different aspects of the problems without confusing academic freedom with 'propaganda'. A teacher should be free to pursue and publish his studies, speak and write about and participate in debates.

As for the University "Autonomy" is concerned, it is the inherent obligation of the academic community to play an active and positive role in critical examination, evaluation of concepts and policies over the entire spectrum of the society's concern and involvement. The University has a major responsibility towards the promotion and development of intellectual climate in the country which is conducive to the pursuits of scholarship and excellence and which encourages criticism, ruthless and unsparing yet informal and constructive. All these demand that teachers exercise their academic freedom in good measure, enthusiastically and
wisely. The sphere of the University lies in three fields; namely, the selection of students, appointment and promotion of teachers; determination of course study, and, methods of teaching and selection of areas and problems of research.

It is important to recognise that use of the "autonomy" of the Universities rests on the fundamental consideration that without it Universities cannot discharge effectively their principal function of teaching, research and services of the community, and, that only an autonomous Institution, free from regimentation of ideas and pressure of party or power politics can pursue truth, fearlessly, and build up its teachers and learners inhabitants of independent thinking, and a spirit of enquiry; unfettered by limitations and prejudices of the near and immediate which is so essential for development of a free society.

The aim of the education was successfully expresses by Pt. Nehru, He said,

"a University stands for humanism tolerance, reason, adventure of ideas, and research for truth".

Universities in modern world are expected to seek and cultivate, new knowledge, provide the right kind of leadership in all walks of life and strive to promote equality and social justice. The Universities of India have to shoulder additional responsibilities for adult education and community development, and, try to bring back the centre of gravity of academic life within the country by creating centres of excellence comparable to those in other parts of the world.
Since the Independence a large number of the University Acts, have been passed and old ones amended from time to time, the trend generally being to restrict academic freedom rather than to liberalize it. In 1952, the Government of India made a positive attempt in the proposed Bill to curtail University Autonomy, through a Statutory Councils composed mainly of non-University educationists and public men. The Model Act for the Universities appointed by the Ministry, 1964, said:

"Autonomy for the University is not a matter of fundamental rights, as it were but a condition for its efficient functioning and for enabling to achieve true ideals of the University. The University needs autonomy if it is to discharge properly its functions and objections in the society."

The Education Commission in 1966 regarding the autonomy observed,

"It is important to recognize that the case of autonomy of the Universities rests on the fundamental consideration that without it, Universities cannot discharge effectively their principal functions of teaching, research and services to the society and only an autonomous Institution can build up its academics, spirit of inquiry, and habit of independent thinking."
In 1965, Andra-Pradesh Government had decided to enact a legislation which was detrimental to the autonomy of the A.P. Universities, especially with regard the assumption of powers by the State Government to issue directions to the Universities and also in respect of appointment of Vice-Chancellors.

Against this Board of Mysore meeting 1966 appointed a Committee to suggest ways and means by which things would be improved:

The Board recommended and presented the memorandum to Prime Minister:

1) The President of India, should be the Visitor of every University - as is the case of Rajasthan University;

2) The practice of having State Governors as Chancellors of the Universities, has much in favour, if only Chancellors function in their individual capacity consulting State Government when it is dire-necessity;

3) Legislature indeed should discuss matters of educational policy, but not to hamper University in day to day functioning;

4) No minister should hold any office in a University ex-officio;
5) Conditions of Services of V.C.'s should not be humiliating or unattractive in a manner that suitable persons may not accept the post of V.C.

In 1967, inspite of the Boards meeting with the Prime Minister, the Kerala Government proposed a University Bill, 1967 which gave powers to Chancellor to suspend and dismiss any authority of the University (b) it vested the Chancellor, with power to, remove the Vice-chancellor. (c) it provided that the University should take prior approval of the government in such matters as affiliation of colleges, prescribing conditions of services, etc. it vested government to enable it to call for explanation and so on.

In 1971, the UGC in response to V.C.'s conference appointed a Committee under Chairmanship of P.B. Gajandergadkar, J, the Vice-Chancellor of the Bombay University to examine the problems of "autonomy".

The Committee observed:

"The concept of the University autonomy is often misunderstood, it is a legal concept and not even an constitutional concept........ It is an ethical concept and an academic concept........ the claim of autonomy is made by Universities not as a privilege, but as a condition precedent, if the Universities are to discharge and obligations effectively
efficiently as regards imparting and advancement of knowledge and also making their contribution in the development of the nation."

In 1973, Mysore Government Universities Amendment Bill, 1973 provided for appointment of Pro-Chancellors in the University as ex-officio. The appointment of Vice-Chancellor, by the Chancellor, in consultation with Pro-Chancellor, and powers of the Vice-Chancellor, in all academic matters were curtailed.

Thus University Autonomy is constantly under pressure from the Government side.

1:3 Autonomy—Some Issues

The autonomy implies that Institution have the power of self-governance and decision making with regard to academic programmes and administrative and financial matters, as to enable them to exercise their options and implement them to achieve objectives of higher education in broader framework of national development. Parameters in which the autonomy is conceived is the achievement of the objectives of higher education, namely, equity, excellence with social relevance and efficiency. It further implies that Institution strive to promote equity, achieve excellence, keeping in view the social relevance of knowledge, skills, and values, and to ensure optimum utilization of the resources and efficiency in functioning.

In practice only the Universities are autonomous and no Institution or Department operating within the University have been given any autonomous status. Even the academic autonomy to
frame its own courses is not provided to the Institution operating within a system. This is a situation in the University of Kashmir also. As for the administrative and financial autonomy is concerned these Institution operate within the rigid control of the University system and powers are to be exercised within the set norms of the University setup. The Department, of Distance Education has to work and operate within the University system and as such no autonomy of any kind has been provided to it.

Let us now examine in detail the process, problems regarding implementation of the idea of autonomy within the University structure.

a) The planning process in a University involves the University Syndicate, Academic Council and staff Committee or Departmental Committees. The Academic Council takes academic decisions.

The problem faced by the Department of Distance Education, University of Kashmir, generally is not associated with the decision making. Even if a proposal is mooted to the Academic Council, the proposals are not receiving any approval because the composition of the Council is such, which consists of members from the formal and conventional departments, who lack the vision of the distance and non-formal education.

b) The second problem is regarding the 'Decision Making' process in the academic matters; start with Board of Studies the Board of Studies are not represented by the institutional members. The cours-
es are therefore thrust on the Institution.

For example, the Department of Distance Education University of Kashmir, is offering some courses from the formal stream for Post-graduate Courses in MA/M.Com. LL.B and B.Ed programmes. For all these courses the Board of Studies of Parent Departments prescribe the syllabi and courses. No academic member of the DDE, has ever been coopted in these Boards. The courses, syllabi and even methodology is thrusted on the Department.

c) As for the resources of the Institutions within the University are concerned, those are earmarked on the general budgets of the University. The reliance of resource generation is mostly linked with the University or State Government, no effort has ever been made to explore the possibility of the resources from the voluntary agencies, or industry. Factually, the Institution by virtue of their performance should attract considerable funding from public at large, through fee structure and delivery system.

Again the DDE, of the University of Kashmir, has attracted considerable funding from public at large, through restructuring fee and efficient delivery system. In fact the Department is financially viable Institution, but University Budget Grants are meagre, and, excessive earnings of the Department is ploughed back to the University and not even a penny is spent on the development of the Department.
The Institutions who are granted autonomy, are known for their better performance, sound financial resources and adequate infrastructural facilities. Even the students and teacher involvement of autonomous Institution is more and effective, and usually are engaged in more meaningful pursuits of acquiring knowledge and skill.

1:4 Autonomous Functioning — & Distance Education a University of Kashmir Experience:

The impact of autonomy can be seen in teaching learning process, decision making process, equity and excellence aspects, accountability of teachers and institutional responsibilities towards the beneficiaries of the system — the students.

Let me analyse the possible impact the autonomous structure will have on the actual functioning of the Department of Distance Education , within the University structure. The probable impact can be reflected in following way:

1) The grant of autonomy, though within the broad frame work of the University Act and Statutes, the impact can be seen on the teaching learning process. The Department, will be free to attempt such courses which are socially relevant, need based and market oriented. The foundation, core and applied courses can be introduced.

2) The methodology of teaching can also be changed to suit the goals of the non-formal education. The
learner oriented teaching methodology can be developed and teachers can be trained for this change.

3) The impact of autonomy, regarding framing of curriculum, methodologies of teaching and learning process and evaluation, will automatically undergo a change. The teachers of the DDE, involved in decision making would lead to better courses and autonomous functioning will inspire better confidence, among teachers, administrative staff by way of involving them at various stages of decision making. They will not be subjected to subordination in the hands of the Board of Studies, and, Faculties of the Formal Department Faculties.

4) The equity and excellence which are the basic parameters of growth and development of the Department shall be effectively expressed. The equity implies the opportunities available to all male, female, weaker sections of society, dropouts, geographically displaced, economically weak to acquire knowledge and get equal opportunities of learning higher education. The excellence implies that education process is so geared up as to achieve greater degrees of heights in knowledge, skills and aptitudes, as well as, better performance as learners. The DDE of the University of Kashmir is the only Department which caters to the needs of weaker sections of society. Thus the autonomy ensure equity and strive for excellence.
The DDE will then grow into more responsible and accountable centre of Education in the State of Jammu and Kashmir.

It is for all these reasons that University Grants Commission, in its Up gradation Plan has recommended adequate functional autonomy, academic, and administrative as well as financial within the University system. The autonomy is essential for overall development of the Department.

Structure and Procedural changes required to strengthen the autonomy of the Distance Education

For grant of the autonomy to the Distance Education in the University of Kashmir, some structural and procedural changes are required to be brought in the Act and the Statutes. These can be on the following areas:

1) University and Institutional relationship need to be re-defined. At present the DDE works and operates within and under total control of University. University supervises curriculum, academic reforms, broad policies, administrative machinery, and provide funds.

While it is essential that broad policies and budget be provided by the University, it should in no way restrict its autonomous concept. Undue interference in the functioning of the DDE is to be avoided. Relationship should be that of coordination and development not of supervision and con-
In the Academic matters, structural change in the Academic Council, Board of Studies and Board of Examination be brought as to provide due representation to the teachers of DDE on these Boards or a Separate Board of Studies, Board of Examiners, be created within a University system. The experts of industry, agriculture and developmental agencies be provided adequate representation.

The Faculty of Non-Formal Education should be constituted at the earliest and be broad based, and AVRC be brought within the fold of the Faculty, so that optimum utilization of the Audio-Video facilities are made.

The Advisory Committee be constituted to oversee the performance of the Department of Distance Education as envisaged and recommended by the UGC.

I submit that instead of the Advisory Committee the Board of Management and Board of Planning be created within the University to plan and manage the affairs of the Distance Education. The recommendations of the Planning Board should go to the Board of Management and from the Board of Management directly to the University Syndicate or alternately the recommendation of Board of Planning & Management should go to the Academic Council of the University. In any case the addition will require the amendment of Act and formulation of the new
5) As for as the admission policy is concerned it should be socially oriented, need based, and norms prescribed for admission to the Distance Mode should in no way be same, as are available for the formal students.

The Department of Distance Education should be granted autonomy in academic, administrative and financial matters. The decentralized system will be more conducive for enriching human resources by promoting scientific temper and inculcating values of humanism and tolerance in the complex society. The vertical delegation of powers in respect of academic, administrative and financial matters will generate a better sense of responsibility and the accountability among various functionaries of the system of DDE. The decentralization has in fact become inevitable in view of the needs of society and to understand innovative and need based academic programmes so as to constantly maintain the tempo of technological progress.

116 Academic decentralization:

The Department of Distance Education be allowed to develop short and long term plans aiming at achieving the accepted objectives of Distance Education. There should be an independent "Planning Board or Committee" fully representative with experts, and members from the community, developing agencies, teachers and learners with Vice-Chancellor of the University as its Chairman. The Planning Board should be vested with powers and responsibilities to design and formulate appropriate programmes and activities of the Department. The Planning Board should take stock of exist-
ing positions and fix future priorities, resource mobilization, 
and implementation strategies. Such plans should be reviewed peri-
odically. Thereafter, the reports be sent to the University bodies 
e.g. Academic Council, the University Syndicate, the University 
Council, State Government and National Agencies i.e. UGC.

As for as the Academic freedom is concerned, the Department 
be granted total academic freedom in initiating or introducing the 
socially relevant courses. The Planning Board be also vested with 
power to introducing, reviewing , changing the programmes offered 
by the Distance Education. Similarly the admission to the Depart-
ment should be delinked from the University and admission process, 
method should be left to the Department to determine.

As for as the Examination is concerned a Separate Division 
or Cell be created in the Controller of Examination, with an addi-
tional Controller to look after the Cell. And different examina-
tion schedule , and times be allowed in case of DDE . Even in DDE 
itsel f a section for conduct of examination can be created.

1.7 Administrative Autonomy/decentralization:

Administration should be decentralized with powers, authori-
ty and responsibility, clearly delineated and delegated to those 
who have to implement plans, programmes and activities. Instead of 
'prior' approval and 'sanction' it is better if those who are 
responsible are given the initiative to implement the same. This 
leads us to grant of administrative powers of the Director/Chair-
man of the DDE. The Statutes should be redrafted to provide vast 
administrative powers to the Director DDE, for this delegation of 
powers of the Vice-Chancellor is needed.
The Act, be suitably amended, and statutes re-drafted to provide for the same.

118 **Financial Autonomy/ Decentralization:**

Finances have to be provided adequately and in time. Proper norms for funding have to be established taking into account purpose and development requirements of the Institution to get at least minimum level of resources so as to ensure quality.

Financial autonomy implies the freedom to utilize the resource in accordance with the set priorities of the authorities of the DDE. The concern of grant giving authority is only to see, that the money released is utilized for broad purpose for which it is released. The DDE, would automatically opt for the "Block Grant" system. It would not like to opt for alternative deficit financing system, in which the University will be empowered to review the expenditure and the revenue of the Department and determine the permissible items for expenditure and grants. In "Block Grant" system as in the (University viz a viz Government) is based on the financial needs of the Department and the items of the expenditure which the University would like to support. The University should not go in the details of revenue and expenditure. The Department of Distance Education should have full autonomy to decide upon the manner in which the budget grants are to be utilized for realising their specific objectives. The Director/Chairman should be fully entrusted to manage the funds. Director/Chairman should be responsible for utilization of the funds on approved projects and proposals, in the manner laid down by the appropriate authority.
Thus Financial Powers of the University Syndicate should be devolved to the Vice-Chancellor and to the Director/Chairman of the DDE. The structure and composition of Finance Committee should be suitably changed to allow for major participation of academics of DDE in it.

Besides, as directed by the University Grants Commission, the surplus resources of the Distance Education should be ploughed back for the up-gradation and development of the Department. The Department is to be made financially self contained, and for this University should be encouraged and empowered to mobilize revenue from such sources as fees, donations and revenue from voluntary agencies. Such increase in the revenue should be treated as expenditure for development and the grant should not be reduced rupee for a rupee. The budget grants released should be as per the criterion.

However the University and DDE should try to display better financial accountability to make the system of financial autonomy and decentralization a success.
ACCOUNTABILITY IN UNIVERSITY

Accountability in higher education is not a simple notion, it is a multi-layered concept, related to responsibility and autonomy. Accountability means rendering account of or taking an account of the responsibility or tasks assigned to an individual or an institution or both. It is the broad concept of responsibility, which means that one is required to carry out or see it that certain tasks assigned to or to the institution are carried out.98

Pt. Nehru, declared that, if all is well with the Universities, all could be well with the nation. In last decade, the Universities have faced several challenges in achieving the goals of higher education. The growth of higher education has been uneven, between regions, disciplines, the quality of education, marketability of enrolled students' etc. This has been causing greatest concern to policy makers and the administrators. Quite often statements are made about the need for accountability and qualitative improvement of higher education. It is true the some Universities in India, have produced academicians, technocrats, management personnel of high quality, however, the majority of the products of our Universities have little capacity for original thinking and lack social and national responsibility.99

It leads us to another proposition, i.e. what is the objective of University education? Pt. Nehru has given objectives of the University education in following words:

"A University stands for humanism, tolerance, for reason, adventure of ideas and for search of
truth. It stands for onward march for human race towards even higher objectives. If the Universities discharge their duties adequately then it is well with nation and people."

Delineating the purposes of education further, Dr. Radhakrishnan Commission mentioned,

"They have to provide leadership in politics and administration, the profession, industry and commerce.... help to achieve freedom from want, ignorance and poverty."

Thus the objective to higher education is to ensure over all development of the human personality by cultivating physical fitness, developing power of mind and cultivating right interests, attitudes, moral and intellectual values. In brief the object of higher education is to assist the individual to lead a good life.

However, looking at the Indian Universities, one cannot but feel that they have miserably failed to adopt the selves to the vast and unique opportunities which surround them. These seats of learning seem to have lost the enthusiasm and initiative under the crushing problems which have been faced to them. Despite three major Commissions, and New Education Policy, they have not been able to extricate themselves---- they remain examining bodies, their students regard success in examination as their sole motive, rather than acquiring knowledge. The problem is further aggravated by poor facilities, poor recruitment of staff, unsatisfactory relationship between career and professional development,
and all-round decline in discipline and efficiency. Large number of students; lack of rapport with local social needs, qualitative decrease in the standard of the students, lack of funds, dual control, lack of employment opportunities, social problems, etc. has affected the performance of the role of the Universities. 102

These problems can be dealt in little detail:

i) In most of the Universities there is little or no representation from the society which keeps them away from judging the needs of the society. The courses, adopted are stereo-typed, have no relevance with the needs of social environment. Thus Universities lack rapport with the needs of the society.

ii) The foundation of students seeking admission to the Universities education coming from higher secondary schools having extremely poor facilities, is very weak. In the University of Kashmir, for example, only those students pursue the higher education, post-graduate or research education who are unable to get openings elsewhere. Most the pursuers of higher education come from rural background, poor schooling, and poor family backgrounds. All this has resulted in qualitative decrease in the standards of the students.

iii) On account of lack of funds, most of the Universities lack proper class rooms, laboratory, research,
library facilities. Even the financial relationship between the University and the State Government is usually not happy one. The recurring paucity of funds, rigidity of controls, and non-sanction posts and programmes, approved by the UGC generally generate tension between the two. In University of Kashmir, for example, the employees demands, involving financial implications, if not met by the Government usually has precipitated crises. To keep the things going, in exercise of its autonomy, often creates some unapproved posts and incurs unauthorized expenditure knowing full well that this brings a violation of the University Act and Statutes thereof. This situation leads to deficit, which when accumulated compels the University to go in for unauthorized borrowing of loans. The University is usually warned by the State Government, to abide by the conditions of the "Block Grants" released in favour of the University, and economise its expenditures. But the University has always pleaded its helplessness in this regard. The financial crisis gets further deepends and threatening to paralyze the very functioning of the University. The agitation begins and all types of politics get active. Sometime even the inquiry is set in motion and structures are passed against the University. State Govt. then willy-nilly wipe out the deficit.

This is yet another way in which University is subjected to suffer, often grants are released
late, intentionally by the State Government.

iv) It has been seen that there is no perspective planning either at the State level with respect of particular man power training or trained in the University. It results in the wastage of human resources where after obtaining the degrees, the students are thrown open in society without employment prospects. The student feels that his future is black. It also induces the students to resort to strikes and other undesirable activities. This is precisely, the polite of students community in the University of Kashmir.

v) On account of social pressures the Universities are forced to admit sub-standard students. Moreover, such students resort to unfair means to compete with intelligent ones which leads to several ills. In recent past, the admission to post-graduate courses, in University of Kashmir, were almost free. This has affected the overall standard of the University.

vi) Persons having poor background with no spirit of dedication and inferior qualifications are appointed to the Faculty positions, such persons often resort to favouritism in marking, encourage factionalism or regionalism and thus create hurdles to sincere and dedicated teachers. A teacher should be an example before the students.
Thus to develop centres of excellence and generate the intellectual and professional environments in the field of research and to ensure painful professional studies so that it may be able to discuss, assess and evaluate our past, determine the present and project the future, the quality of higher education system need to be improved so that it may fulfill its accountability towards, the individual society and nation in most effective way.
Accountability in higher education can be examined on the inter-related parameters: Academic, Administrative and financial.

**Academic Accountability**

The academic accountability in higher education has to be ensured in different areas of operation of the academic system and accountability in areas should cover both academic and non-academic staff as well as the authorities.

One area of activity is the teaching, research, and other allied activities. Keeping in view the market demand, need based courses, and curricula should be formulated and there should be provision to revise these courses after every four to five years.

**Teachers**

The teachers are accountable to pupils, their parents, their community and to their profession. The New Education Policy demands from the teacher a higher level of performance and a sense of dedication and devotion to their profession. Once the teachers are appointed and get confirmed, the immunity to accountability develops. Therefore it is necessary to develop and devise suitable tools to enforce accountability to teachers. The teachers generally blame the knowledge of students at entry point, indifference of students, lack of facility, non conducive environment for effective learning, lack of supportive system and so on for inadequacies in accountability.17
Enforcement of accountability should begin with recruitment/selection of staff who draw evidence of continued academic interest. This should be followed by training and retaining of the staff from time to time to cope up with the curriculum and research and orientation of teachers about the responsibilities towards academics and administration.

The standardization of teaching modules, with details of lecture objectives, tools and resources materials to be used and expected learning outcome for each lesson of the course/paper, is expected to be prepared by the teacher. This should be planned before the beginning of the academic year so that process teaching is systematic throughout the year. Such a practice will lead to good teaching and self-accountability. This is required in distance and open learning.

Besides, a good system of monitoring and supervision of teaching and evaluation can contribute to accountability of the teachers. Heads of the Departments, can play a key role in this regard. Scheduling academic calendar and following the same is an important factor in making teachers accountable. Another important area is the evaluation process. The academic calendar distributed to the students at the beginning should indicate dates of examination to be conducted during the course of year. The random checking of the scripts/evaluation sheets should be done by the senior faculty members. The newer methods of the evaluation should be adopted. In the selection of the research area also the teachers should be made accountable. The University should promote research in areas of social relevance, on issues of national and encourage studies in identified fields. Research in the applied field should
be pursued. The Department of Distance Education within a Conven­
tional University should be able to contribute appropriate re­
source material to support the extension activities of the devel­
opment departments of the state.

The conventional notion of the teacher as the independent
entity should go, and teachers should be made accountable in
regard to what they are doing. A teacher's accountability encom­
passes all teaching related activities, including evaluation/
examination and development of the congenial atmosphere in the
campus work stations/study centres etc.

Thus to initiate and sustain accountability measures some
structural changes would be essential. There should be some kind
of autonomy within a University to the departments and in case of
DDE total autonomy, there is a need for a productive and suppor­
tive academic leadership and for providing a congenial atmosphere.
There should be a stylish institutional management besides strong
institutional planning, there should be strong institutional eval­
uation and as a basic requirement the campus unionism should be
discouraged. In order to motivate teachers to put in their best,
it may be further useful to link 'promotion' with 'performance'.
Teachers should be asked to submit 'self-assessment reports' every
year and discipline based committee should examine the reports of
the teachers in their respective disciplines. The Dean of the
Faculty, can be assigned the role of a 'Coordinator'.

Following suggestions are recommended:

i) Non-performing teachers, departments and Institution within a University, must be subjected to
social and system based audit. The teachers should be ranked in terms of their performance.

ii) The Academic Staff College in case of Conventional University and STRIDE, for Distance Education should be strengthened and made to play an effective role in organizing teachers' development programmes.

iii) No University/Institution should be allowed to relax the essential qualifications prescribed by UGC for recruitment of Lecturers, Reader and Professors;

iv) The four inter-related activities should be given weightage; Teaching, Research, Publications and Extension activities.

v) The Personal Promotion based on performance evaluation by Committee of three Experts should be introduced at every level. This may lead to creation of healthy atmosphere and motivate teachers to put in their best.

vi) The Teachers should always remain available in the Departments for 5 hours a day.106

The Deans of the Faculties, Directors of the Centres/Chairman/Heads of the Departments should prepare accountability reports every year based on their roles, targets setup, actual achieve-
ments and reasons for non achieving, should be submitted to Vice-Chancellor. These reports should be then discussed in the meetings of the Faculty and other decision making bodies. This should be followed by carefully monitored programme of action.

1.2.3 Administrative Accountability:

The Vice-Chancellor is both the academic and administrative head of the University, and is expected to execute and plan academic and administrative programmes. The Vice-Chancellor, therefore needs to have personal involvement in all the activities of the University, and should visit all the Departments, administrative Units and examination centres regularly. There should be high accountability on the part of various managerial bodies of Universities and Institutions. They would not only take decision but should implement them. To build the administrative accountability into the system, definite goals should be set up for the University for five years against which administrative performance could be evaluated.

The University Head/Chairman/Director of the DDE should ensure the change in the perception of the people in the administration from an 'end to themselves' to means to ensure academic excellence. For administrative smoothness, a common cadre of administrators may be established in the State and Administrors of the University should be recruited from the said common cadre. For obtaining the specified work out-put there should be continuous staff development activities of non-academic staff in the areas of personnel management, human resource development and attitude development and interpersonal relationship.
If one accepts higher education as a social institution then the quantum of accountability increases further. The rate of return on the investments in higher education cannot be connected only in terms of monetary levels or rewards. Thus non-monetary social returns are more important than the economic rewards of aspirations of individuals. In the developing society, like India, the aim of education is not merely offering any specialised knowledge or advance education but bring a change in ideology which will facilitate social transformation for betterment of our society. Since the objectives of the education have not been fulfilled. The economic issues involved in the process of education makes people to think that the huge investment in higher education is not much needed considering the rate of illiteracy and the problems of adult education, investment in higher education should be reduced or should be given second priority. It is also suggested that the Institutions of higher education should be permitted for fund raising on their own, so that their dependence on the government be reduced and funds available for High Education can be shifted to the primary-education and adult-education.

Keeping in view the factor of large investment to establish the University or any Educational Institution. The capital expenditure needed to develop a Conventional University or a Open University or Conventional Department within a University or Department of Distance Education----- is enormous and a large sum of money is needed to meet the recurring expenditure. Therefore for the University, Department or College should be accountable so far as the financial expenditure is concerned. The educational Institution have to see that Budgets are prepared in time, adjustments are reduced to minimum, maximum cost-effectiveness and cost-
efficiency are achieved, and there is efficiency in resource mobilization from a variety of resources. Financial accountability depends on effective financial management which purports efficient utilization of resources and reduction in wasteful expenditure.

The following factors can be considered so as to improve the health of the University and facilitate effective financial management:

i) There should be one time grant to cover up all deficits and to establish an endowment for future. The release of annual 'Block Grant' must be made at the beginning of the financial year.

ii) The amount of 'Block Grants' should be determined on the basis of annual requisitions or requirements of a University reflected in Budget, for salary, academic activity and budgets.

iii) Full autonomy should be given to Universities in the utilization of the grants.

iv) The Rules regarding development grants by the UGC should be revised, and instead of binding it with the matching grants of the State Governments, the Universities should be given the option to use the matching grants from any other source, including the Universities own funds.

v) A mechanism of granting financial autonomy to the Departments and Centres within the University should also be evolved.
Distance Education in University of Kashmir

Autonomy and Accountability

1.3.1 Distance Education

The University of Kashmir started the Institute of Correspondence Courses in February 1976. The Institute worked as the Centre for Correspondence Courses upto 1985. It was renamed as the Department of Distance Education with the following objectives in view:

--- to provide educational opportunities to those who could not be accommodated in the Institutions of higher learning;

--- to ensure equal opportunities of education for people in employment, women, including housewives and adults who wish to upgrade their education;

--- to provide instructions in a wide range of general and special subjects;

--- to make available for both pre and in-service training of teachers of all levels of education;

--- to offer degrees and non-degrees certificate courses for working population in various fields.
These objectives make it clear that Distance Education is expected to play a key role, in democratizing of higher education in the State of Jammu and Kashmir by providing educational opportunities to hitherto neglected sections of society. Adhering strictly to its frame of basic objectives the Distance Education has rapidly developed into a successful non-formal counterpart of the already existing system of formal education.

The second important development is the creation of the Faculty of Non-formal Education, charged with responsibility of providing education at the distance. The Faculty is engaged in taking measures possible in developing, processing and management of courses for off-campus teaching, so as to make the system efficacious. However, the formation of the Faculty has not taken off properly. The Faculty has not been constituted so far. It is still to be seen as to how the Faculty of Non-Formal Education can play a key role in the development of distance education strategies. There has also been some problems of its organisation and composition. As for as the Department of Distance Education is concerned, it has to operate within a formal structure of the University system, without any operational freedom.

The working of Distance Education can be grouped into three categories, for the purposes of the autonomy and accountability i.e. Academic, Administrative and Financial.

1.3.2 Academic Autonomy

There is no academic autonomy granted to DDE by the University. The Department has to follow the curricula, syllabi, even the methodology of the formal or conventional system. The courses i.e.
Post-graduate courses offered by the Department are same, as are offered by the Departments of the University. The Department of DE has to rely on the Boards of Studies and even the Academic Council. The Department has no freedom to move out of the limits set by the traditional Board of Studies and Academic Council. Formal Departments prepare the outlines of the various courses into units before the course preparation is initiated. Even for the launching of any new course the Department of Distance Education has to get clearance from the Board of Studies and Academic Council, packed with advocates of formal system of education and usually courses never get cleared. So long the total academic freedom of developing its own courses, and evolve its own syllabi is not given to the Distance Education Department, no need based and socially oriented courses can be initiated through it. Hence it cannot play any significant role in the spread and growth of education in the State.

Second problem is that of teachers working in the Department. The teachers do not generally evince a high level involvement in the programmes offered by the Department, and most of them are not quite naturally drawn towards various assignments and activities associated with planning, developing and implementation of the educational process in this channel. The teachers of the requisite maturity and scholarship do not apply for a position in the Departments. Thus the recruitment of the unqualified staff and in certain cases the imposition of the staff on the system by the secondment of Schools, Colleges and University; the staff members have become unwilling 'partners' of the system who is unable to bring either energy or commitment to the organisation of Distance Education. The teachers do not have a proper orientation for rendering the contents of the subjects into an effective formate
of distance institutional system. It requires a lot of recondi-
tioning from the regular processes and techniques of education. Thus staff development seems to be the only option for the develop-
ment of the system. The staff development programmes need to be
highly adoptive and patterned according to the development stages
of the individual teacher and the institution. The staff develop-
ment can generate the productive work relationship within the
system. The Department of Distance Education, has to be content
with the fact that most of the staff which is likely to be re-
ceived, will be deskillled and therefore the University has the re-
sponsibility to imbibe innovative techniques, bring high degree
of skill and allow to create inter—personal relationship within
the staff. The staff is to be trained in information technology
and application of the same to whole range of activities.

Thirdly, the Library facilities cannot be readily made
available to all the learners distributed throughout the state and
in absence of strong self-study culture the idea of Study Centre
does not get the inputs it deserves, besides students are to take
advantage of the highly sophisticated technological instruments of
education, such as television, Radio, Audio and Video Cassettes.
The computer is to be pressed in service. Thus efforts to build
the library, effective students support service, and establishing
of the study centres is the requirement of the system.

Fourthly, the Evaluation process presently in vogue in the
Department is defective and out dated. The evaluation process is
to be made effective, by measuring the quality of the learners. It
should be by measuring and correcting. The quality of system can
be related to the enrolment and students performance, related to
all the academic programmes developed. The performance in the
final examination and quality of turn-out graduates measured by their acceptance by the job-market and community, is essential to save the system from dysfunction and disaster.

1:3:3 Organisational and Administrative Issues:

The large-scale logistics involved in the operations of distance education learning system entails complex but efficient organisation. The organisation of the DDE can easily be grouped in three heads: Academic, Service and Administration. The Academic wing is mainly concerned with the planning and developing of teaching materials and with the supervision of courses offered. The service department includes administrative office, mailing section, district service network, course production, publication and distribution. The Administrative section, comprises the Assistant Registrar, Section Officers and other sub-offices. The Chairman/Director is the principal administrative/academic officer of the DDE. Quite understandably the present administrative setup is inadequate, insufficient and very difficult to manage.

The Chairman/Director is the both academic and administrative head of the Department, and is expected to administer and plan all academic and administrative programmes. The Chairman/Director, therefore need to have complete administrative and academic freedom, because he has to play a key role in the development, extension, growth, and also to ensure change in the perception of the people in administration within the Department and in the Administration of the University. He should be involved at all levels of the administration of Distance Education staffing (Non-teaching) appointments, transfers and posting. Statute 4(a) to (b) which provides powers of the Director and Chairman are
not sufficient and needs re-drafting in fact new set of Statutes be formulated for the Distance Education.

The management of learning in distance education require the creation of complex and interdependent system, efficient and sensitive administration and team work of high order. The responsibility for developing efficient management at all levels of organisation rests with its leader or Chairman / Director, who should create army of followers with leadership qualities who share a vision and professional commitment. Therefore the powers and functions of the Director/Chairman are to be provided by the Statutes, which will provide adequate administrative autonomy to the Chairman/ Director of The DDE. This is extremely essential so that he can act quickly and effectively in the best interest of the learners. The Distance Education, within the University cannot operate effectively as an academic institution without good management, and that will not happen without academic freedom and administrative autonomy. The management of distance education system as complex and comprehensive should be committed to both production and people. The Leader of the DDE, has to identify as to what has been done? and when it needs to be done? and how it can be done? In other words the Chairman / Director has to be more demanding then setting objectives and developing the time-table. The leader of the DDE, has to be both productive and people oriented, and develop effective and cohesive organisation, of centralised and decentralized team of full-time, part-time academics, administrative, technical and clerical staff, Radio and Television organisation , student support services, etc. Thus the management is to be sensitive, efficient and productive.
The Chief Executive of DDE, must possess a genuine belief in the concept of distance education, and unbridled enthusiasm for the mission of the Institution in particular. Therefore full executive powers within a system are to be provided in the Statutes for the Director/Chairman so that the leader of the DDE is in a position to exhibit enterpreneurship of high order, which can communicate excitement and release energy so that those within and without the institute share the commitment.

1:3:4 Financial Autonomy

The Department of Distance Education has not been granted any Financial autonomy by the University. The Department should have full freedom to decide upon the manner in which the budget grants are to be utilized for revising its specific objectives. The Department should be fully entrusted to manage with the funds. Again necessary changes in the Statutes of the University be brought, for providing full financial freedom to the department. The University Grants Commission has envisaged an up gradation plan for the Distance Education all over, the country. Following reforms shall go in long way in developing the Distance Education in the University of Kashmir.

1:3:5 Institutional Reforms:

a) The UGC, has recommended to establish an Advisory Committee, with Vice-Chancellor as the Chairman of the Committee, with distance education experts and
UBC nominees, vested with academic and planning powers.

It is submitted that instead of the Advisory Committee it is worthwhile if "Board of Management" and Board of Planning or "Board of Planning & Management" be created for the Distance Education with Vice-Chancellor as its Chairman, with experts from Distance Education, and UBC nominees and other academic staff of the University and Chairman/Director to be the Convener of the Board.

The "Board of Planning & Management" should be vested with powers of planning monitoring the distance education in the State, design, formulate appropriate programmes and activities of the Department and shall have the right to advise the Academic Council of the University on all academic matters. The Board of Management and Planning shall be vested with powers of recommending the creation of posts, teaching and non-teaching, enforce discipline amongst the employees of the Department.

The decisions of the proposed board of Planning and Management shall be directly forwarded to Academic Council, University Syndicate or to the University Council as the case may be.

This will provide some academic and administrative accountability for the Distance Education.
ii) The Faculty of Non-Formal Education should be constituted without any further delay.

iii) As desired by the UGC the Department of Distance Education must be given adequate functional autonomy, academic, administrative and financial; within the University system.

The autonomy is essential for the overall development of the Department.

i) Academically, the Department of Distance Education, should be given full freedom in developing its own courses and evolve its own syllabi. The Department should be allowed to constitute its own Boards of Studies, in order to develop its own programmes and syllabi.

ii) to authorise the appointment of paper setters, and evaluators in various examination;

iii) the Department be allowed to setup a full-fledged academic and examination wing for courses run by the Department.

iv) the teachers should be made more responsible and teachers should be made accountable and be required to submit assessment reports to the Chairman/Director.
v) the teachers accountability be linked with 
the distance learning activities such as 
contact programmes, script writing, radio 
and television programmes, evaluation and 
assessment of the learners.

1:3:6 Administrative Autonomy:

i) The Chairman/Director, should be vested with 
administrative powers executing and implement- 
ing the programmes of the distance education;

ii) The Chairman/Director should be associated for 
appointment, transferring and posting of the 
non-teaching staff of the Department.

iii) The Chairman/Director DDE should be vested 
with powers of deputation of teaching and non 
teaching staff within and outside the state of 
Jammu and Kashmir, in connection with attend- 
ing conferences, workshops and conduct of 
programmes and examination.

Financial:

i) Complete Financial autonomy should be granted 
to the DDE.

ii) Budget once passed should be allowed to 
utilized by the Chairman/Director without any 
previous sanction of the Universities Authori-
tities. This requires a change in the Statutes and needs delegation of powers.

iii) The DDE be permitted to develop its own financial resources and surplus earning should be ploughed back to the Department and utilized for the developmental purposes.

iv) The Financial Autonomy entails financial accountability, thus proper mechanism of financial accountability and auditing should be developed.

v) The Students Migration from the Formal Departments to non-formal Departments should be permitted, and similarly the students be allowed to migrate from non-formal to formal courses of study. Linked with the migration of the Students is to stop private appearance of the examination, for the courses in which the Distance Education courses are available. As such all private appearance may be stopped forthwith.

Improvement of Learning & Course Material:

The Printed Course material is the main stay of providing instructions to the distance learners. Since student have to study mostly on their own and away from their teachers, they may have to primarily depend on the printed course material supplied to them. It is therefore necessary that course material should be carefully planned and developed in the self-instructional distance education mode. Thus a serious attempt is to be made to develop a teacher in
the study material. The course material is to be presented into personal style and in simple language to match the comprehension level of the target group. The contents of the lessons should be good quality, relevant to the topics and presented in the comprehensible manner.

Therefore the DDE, of the University of Kashmir, should also take immediate steps in transforming the entire print material into self-instructional distance education format. The course contents need to be got evaluated by the outside experts, and revised and edited accordingly. The good course material is bound to enhance creditability of the Department.

Besides the DDE of the University of Kashmir and DDE of Jammu University should jointly develop the Study Material and then adopt and share the same. Some courses developed by the IGNOU, can also be shared by the DDE.

1:3:8 Electronic Media:

The Electronic media are of great importance in making distance education a multi-media teaching learning system. Audio-visual components make the learning more effective and interesting for the learners. The Distance Education therefore should plan to develop multimedia packages of teaching learning materials.

The DDE, should make use of the existing audio-video cassettes of IGNOU, has already Radio-casting its Distance learning programmes weekly on Radio Kashmir, Srinagar, the programme, should be made bi-weekly. The Door Darshan Kendra, Srinagar,
should be approached to provide time slot for telecasting the programmes on weekly basis.

The DDE should immediately develop a Model Study Centre at the University Campus, followed by such study centres all District Headquarters, fully equipped with Audio-video facilities. The AVRC of the University of Kashmir should be linked with the Distance Education for providing help in developing Audio-Video cassettes for the distance learners.

139 Staff Development

Staff development is the utmost necessity for the teachers and administrator in DDE's. the UGC has directed all the teachers to do Diploma or M.A. course in Distance Education from IGNOU. The Distance Education Training Institute (STRIDE) has been setup in the IGNOU. the STRIDE is organising intensive orientation programmes to familiarise the teachers with various aspects of distance education system. These measures and training will definitely make the Distance teacher a willing partner in the distance education system.

DDE has already deputed some teachers for the training and orientation programmes conducted by the STRIDE at IGNOU, Delhi. Further net-working computerisation will make the Department of Distance Education autonomous, efficient and effective.
MANAGEMENT - INTRODUCTION

Management is the process of conducting activities efficiently and effectively with and through other people. It is something that takes place in organisations. The managerial functions of planning, organising, leading, and controlling can be done well or badly. When they are done badly, resources are wasted, opportunities are lost, institutions grow weaker, morale falls and in the end institution goes under. To ensure that institutions are managed well, that is both efficiently and effectively, respond to changes in their environment, and prosper and grow, vast sums are now expanded on the education and training of managers.109

The Management processes involves planning, controlling, organising and leading. A particular, manager may be more concerned with controlling and organising while others may be more concerned with planning. The degree of involvement may vary, but all the managers have to be concerned with these processes.110

Let us examine these processes in detail.

1:1 Planning:

Planning is the basic process involved in management. It means deciding in advance what action to take and when and how to take them. Planning is needed for committing and allocating the organisations limited resources towards achieving its objectives in the best possible manner and for anticipating the future oppor-
tunities and problems. Planning is putting down in black and white the actions which a manager intends to take. Each manager is involved in planning though the scope and character may vary with the level of manager. At the top of the Managing Director is involved in the planning process, at the middle level the Marketing Manager undertakes planning and at the field level sales supervisor plans the daily activities of his team of sales officers.

Planning ensures the most efficient use of scarce resources. It implies coordinated, inter-related effort towards achievement of the common objective rather than uncoordinated haphazard, arbitrary, overlapping action towards individual objectives. Joint coordinated effort would mean pooling of resources and their optimum allocation without any wastage. Planning is the only way through which organisation can exercise control to check that it is on desired course of action. Only when there are objectives, can the Manager exercise their control to measure the performance of his organisation. To ensure that plan is effective and succeeds in achieving its objectives, it must have the following components:

i) The planning must start from the top. Objectives of the entire organisation should be defined by the top management and then they percolate down throughout the organisation.

ii) Planning must be flexible. Planning is needed to anticipate and prepare for future. To the extent that future is uncertain, and events may or may not occur, planning must be flexible. Flexibility
means ability to keep moving, despite unexpected occurrences. Flexibility is also needed when there is higher degree of uncertainty and risk.

iii) Short-run planning must be integrated, with long term planning. The long-range planning must be broken down into short term plans on the basis of which managers can take action. The long term plan can be for 5 years and short term plan for one year. In reality the duration may vary according to the nature and scope of organisational activity for which planning is being undertaken.

iv) Plan is always good, if it is properly implemented by the people down the line.

Despite all the aforesaid precautions, plans sometimes fail because of some external forces like rules, regulations, environmental hazardous and so on.

1:2 Controlling

Planning and controlling go hand in hand. There can be no control without plan and plans cannot be implemented without the control. Controls provide means of checking the progress of the plans and correcting and deviations which may occur along the way. The type of control required will vary according to the factors that are to be controlled, for example, Finance is the most critical area of management and most companies devise elaborate and sophisticated financial controls. The controls are used to measure physical quantities such as volume of output, number of hours or
to evaluate employees loyalties morale, and commitment to work. The control process involves three basic steps namely, establishment of standards, measurement of performance of individuals, departments or the company and correcting deviations that is to pinpoint the failures, so that suitable steps are taken to correct these deviations.

1:3 Organising

Organising refers to organisational structures, degree of centralization, levels of management, span of control, delegation of authority, live and staff relationship and staffing pattern. Structure means the specific manner in which the people are grouped. The organisation can group its personnel on the basis of various functions, namely, production, personnel, marketing, basic chemicals, of geographical territories or customer services so on. Centralization refer to the basic authority where all decision making is centralized and decentralization means where decision making authority delegates its powers to other lower level management. Closely linked with concept of centralisation are the concepts of levels of management and span of controls. There can be hierarchical levels of control under a particular manager and at each level of management there is a relationship of Manager and the workers.

An organisation may draw a number of plans but if it does not have the right kind of people, it can never succeed in implementing these plans. Therefore, it is essential for the management to match right people for the right jobs. Not only that a right candidates to do the right job is to be found, it is equally important that he be retained in the organisation.
Motivation is that desire or feeling in a person which prompts him to action. Every individual has needs, desires and drives which are called motives and which channalise all his or her behaviour and actions towards achievement of some objections. The role of Management is to influence each individual behaviour and action towards achievements of common organisational objectives.

Money is the most commonly used motivating factor in the form of salary, bonus, incentives, commissions and rewards. Salary or wages is of course the primary motivation, and poorer the economic background of the individual, the greater the motivational value of the money. However, once the salary is assured, the commissions, sales incentives boost further the motivation of the people. Besides the status of an individual in the organisation also provides an important motivational factors. In Europe, great deal of emphasis laid on the leisure as a motivational factor. Thus it is the responsibility of the management to find common factors which can motivate all his people coming from diverse and different backgrounds and working at different levels of management. The Management should know that motivational factors can be used in designing work rewards, work environments, work relationship and work contents. The work environment, means the work culture and status of the organisation e.g. Harvard University, USA, the type of relationship within the organisation and design and content of actual work e.g. freedom to take decisions. The Manager has not only to motivate his people but also to provide leadership. Manager has to inspire and influence his people to willingly work towards achieving organisational objectives.
To be an effective leader, the Manager must have pleasing physical personality, ability to get along with the people, qualities of honesty and integrity and be an excellent speaker. The leader must first set an example by his own actions rather than by making speeches. The manager should be perfectly objective in all his judgments and have no other considerations. For a leader the interest of the people is of paramount importance and come first and while as personal benefits take second place. The Manager should always follow consultative & participative approach and seek the consensus of his subordinates before implementing its decision and adopt a tough or authoritarian stand when need arises.113

Underlying the processes of planning, controlling, organising, leading and motivating is the all important process of decision-making. Decision-making implies making a choice between alternatives. The choice is made rationally after due consideration of all pros and cons. In making the decision, the manager first of all defines the issues on which decision is to be made and then generate all the possible alternatives to tackle the issues in hand. Then making the decision and follow up the decision to ensure that it is properly carried out.114
Management is a specialised activity required for running of all the social institutions which are composed of a group of human beings. Management may be defined as working with the people to determine, interpret and achieve organization objectives by performing certain functions. Management can be applied to all organized human endeavor's whether they are business, government or educational. Fredrick W. Taylor, expressed the opinion of the principles of management, even in the Universities observed:

"That same principles of management can be applied with equal force to all social activities, to the management of our homes, management of the farms, the management of the business; and the management of institutions, Universities and other government departments."

John Stecklin expressed the need for the application of management techniques to the Universities in the following words:

"There is little doubt that the business of higher education has become too complicated to run -- The share magnitude of the increases in numbers of students and finances has made the operation of Colleges and Universities much more complex and harder to understand. Because of the increased magnitude of the enterprise, and because of the markedly more conspicuous allocation of resources,
individuals and boards responsible for the conduct of the enterprises have become increasingly concerned about efficient operation and effective utilization of the resources. The Administrators running the enterprises have been forced to adopt management science techniques to assist them in understanding a multitude of bewildering problems."

The University administration is a dynamic subject because it involves interaction of such systems as a whole or subsystems consisting of students, professors, administrators, materials, equipments, methods and techniques in order to further the development of the national interest of the country and the objectives of which the University sets for itself. It is methodological because it is experimental and qualitative in nature. A sound, efficient and well planned University administration programme is very necessary for stable, and meaningful higher education growth and development in developing countries. Moreover, a systematic University administration programme will contribute to the best development of the education as whole.

1:2:2 Functions of the Educational Administration:

The typical functions of the University administration include following:

- to set objectives for using available resources;
- to formulate plans for achieving these objectives;
- to identify the activities to be performed;
- to organise group activities;
- to define the tasks to be done;
- to supply incentives to stimulate productivity;
- to take remedial measures if the objective are not met;
- to setup controls.

The aforesaid functions cover almost all facts of the principles of management viz. planning, organising, staffing, directing and controlling. Let us discuss the functions of the management, as it is applied in the Universities.

Planning in Universities:

Planning, generally accepted as the first and fundamental functions of management, is of utmost importance to a University. Without the activities determined by the planning, there would be nothing to organise, no one to activate and no need to control. An organisations can succeed in effective utilization of its human, financial and material resources only when its management decide in advance its objectives and methods of achieving them. Without planning, purposive and coordinated effort is not possible and what may result is chaos, confusion and wastage of resources. Planning involves determination of objectives of the institution, formulation of programmes and courses of action for their attainment, development of schedules and timing of action and assignment of responsibilities for their implementation. Planning thus precedes all efforts and actions, as it is the plans and programmes that determine the kind of decisions and activities required for the attainment of desired goals.

The main objective of educational planning is to get the most and best results of the efforts expanded, and to maximise the educational contributions to each individual and to the whole
society. According to P.H.Coombs, educational planning is nothing more than a rational process of setting clear objectives, choosing the most efficient and effective means for pursuing them, then following through with practical action. According to Beeby's the "Educational planning is the exercise of foresight in determining the policy, priorities and costs of an educational system having due regard for economic and political realities for the system's potential growth and for the needs of the country and the pupils served by the systems."

Griffiths states that a successful educational plan is one that does not remain on paper, but is carried out speedily and efficiently and to have good chance of success plan needs to be the result of three things namely, aims, strong support and be the result of lot of hard thinking.

There are two main aspects of institutional planning the first being the effective utilization of the existing facilities for optimum benefit, and other being plan for future development. It is possible to make use of the available facilities so that the additional expenditure is not called for in the face of the constraints. In every aspect of the life of the University there is always an enormous scope for improvement, for example in planning courses, better utilization of the resources, more effective methods of examinations, curbing of indiscipline, promotion of teacher-taught relationship, making teaching-learning process purposeful and joyful etc.

The process of planning that is resorted in the Universities take care only of day-to-day operational matters. As a result making adhoc and interim arrangements becomes necessary from time
to time to meet the immediate requirements. True that in the recent past due to student unrest, it became rather difficult to formalize planning on long term basis so far as examination and teaching schedules are concerned, but planning has been totally absent even in case of important functions, such as development and construction etc. which are in no way influenced by the students interference. Unfortunately the activity of planning in the Indian Universities has been at allow ebb. The crux of the problems is that they do not have any long or short term planning and no-body knows in what way the institution should develop in the next year or five to ten years to come. The administrator are so much obsessed with the day-to-day problems and so much of their time is consumed in solving them, and thus they are becoming crisis managers. Priorities are never fixed, procedure not followed, methods and systems not developed and they are little bothered about strategies. Referring to the planning and procedure in India, the Education Commission observed that existing procedures in Educational Administration suffers from an excessive emphasis on uniformity and rigidity.\textsuperscript{127}

No doubt the Universities prepare budgets every year but they lack flexibility and are used only as a tools for getting grants from the governments. Generally these budgets are prepared by Accountants and Finance Officers who rarely possess the required professional qualifications or knowledge in the preparation of these budgets. These are the Planning Boards and the Academic Councils and the Senate, which are intended to plan the activities of the University, but no useful purpose is being served by these bodies, since they devote little time for planning the activities and meet for one day once or twice a year.\textsuperscript{128}
In 1976 the UGC advised that each University should set up a Planning Board which would engage itself in the continuous review of the implementation of the various academic programmes in the University, and also suggest measures to be taken to make these programmes relevant to the local needs. The Board could also suggest or constitute a separate committee to suggest measures to be taken for coordinating a separate committee to suggest measures to be taken for coordinating the development of higher education in the affiliated college of the Universities. Pursuant to the advise University of Delhi constituted a Planning Group. In addition to the Planning Board, in Delhi University, there is a separate Planning and Administrative Reform Wing headed by Dean Planning and Administrative Reforms and other is Coordination Monitoring and Administration Reforms. The Planning and Administrative Reforms Section is helping the Planning Board and other bodies like Academic Council, Executive Council and Finance Committee, in planning the activities of the University. The Office of the Planning Officer of the Delhi University is a full-fledged wing having a Member Secretary, Planning Officer, Section Officer, Statistical Assistant, Personal Assistant etc.

But in most of the Universities though have the Planning Boards, do not have separate Planning sections for coordinating, monitoring and evaluating the planning activities. Further more the UGC though sanctioned a separate post of Development Officer to look after the planning activities, the majority of the Universities in India are using his services for many other purposes including planning. In addition, majority of the Universities have also filled this post with the people of their choice and in some
cases post was given to non-teaching staff just to provide promotions and this has become possible due to non-specification of the qualifications for the post.

1.2.15 The University of Kashmir—Position:

In 1976 the UGC advised that each University should setup a Planning Board, but no such Board was setup in the University of Kashmir. Though UGC sanctioned a separate Post of Development Officer to look after the Planning Activities, this post has been given to non-teaching staff just to provide promotion. This post is presently held by a Deputy Registrar and is transferable. No specification of the qualifications has been laid for this post. The Deputy Registrar, who is transferred from Administration or examination, as Development Officer, has no information, or knowledge of planning. It is astonishing that such an important post has been held by Dy. Registrar, with basic Matriculation qualification. This has resulted in mess as for as planning in the University is concerned. The procedure adopted is not satisfactory and it usually amounts to uncritical collection of separate proposals made by different departments and units. There is no perspective planning and no delineation of desirable direction of growth. The University has no machinery to evaluate and monitor its programmes and every year there has been considerable spill-over from one plan to another and so far no satisfactory performance has been shown in implementing different approved schemes. In view of all these things there is urgent necessity on the part of the University to constitute Planning Board and a separate Planning Section with qualified persons. Even the Development Officer should be a qualified person.
Planning may be classified into two broad categories: Long-Range Planning and Short-Range Planning. Long-Range Planning, also called strategies planning, has a longer time span and concerns mainly with the future directions of the Institutions. The long-range planning generally covers 5 to 10 years, but may extend to 20 years or more. The long range planning is tentative in nature and deals with the fundamental characteristics of the institutions and provides a set of basic policies which are consistent and meaningful and which serve as a useful guide for detailed planning of academic and non-academic activities, personnel policies and creation of physical facilities. It involves determination of goals, standards and objectives of the University, financing of the activities, strength of the students to be enrolled, and the control of the activities.

Short-range planning is called operating planning, usually spreads over a period of 1-2 years. It is more specific, more formal in nature and includes programmes, budget and courses of action for the achievement of specific objectives at the end of its time period. Short-range plans are integral parts of the long range plans. Often short range plans are made without reference to long-range plans in the Universities. As such, there is every necessity for coordinating and balancing the short-range plans with the long range plans. The planning activities of the Universities is that Universities are preparing short plans in the form of budgets. They also prepare developmental plans for five years correlating with the UGC plans, or State Plans particularly to secure grants from the UGC or State Governments. The present day administrators pre-occupied with matter of immediate concern and
they devote very little time to the long range needs of the University as a whole. Issues are brought forward in haphazard manner without any correlation and examined through adhoc committees. The various steps in planning viz. for casting, establishment of objectives, determination of alternative courses, selection of course of action, formulation of derivative plans, etc. are never followed in practice. Further in most of the Universities authorities are never bothered about the coordination and integration of the short term plans with long range plans. Therefore there is a need of permanently constituting body of academicians and administrators to act as vanguards/ The University administration should have well informed section, staffed with men of calibre and foresight, which will examine various issues with academic counterpart and crystallize them for the purpose of action.

If a particular plan is to be carried successfully appropriate direction must be provided to the plan. One way of providing directions is through policy statement with regard to organisational values, ideas and over all goals. Policies may be defined by broad guidelines to decisions and actions required in attaining organisational objectives. The policies fulfill many roles in organisation. The policies are important in achieving coordination, gaining efficiency, developing future managers and establishing organisational image. Policy determination is the responsibility of many administrators and groups in the University. The administrative authority and control of Universities in India is vested with Senate/Court, Syndicate/Executive Council etc. They set over all policies and authorise the administrators to implement them. At the Vice-Chancellors level, the internal policies are established to provide action guide-lines for administrators serving all levels of the Universities, as well as those
of outside organisations and agencies. On the other hand, administrators at the lower level of the hierarchy are responsible for formulation of the policies, for action in their own sphere of activities.

Besides above difficulties in the planning of the Universities, there are some defects which can also be identified such as:

- Planning implies change and change is often resented;

- planning is usually done at higher level, without the participation of the lower cadre-employees.

- once the procedure is established it becomes difficult to change it, and,

- there is no continuous evaluation of the plans.

Some of these defects in planning of the Universities are such which cannot be controlled but must be reorganised as to their effects on accomplishing the objectives. The administrators of the Universities should therefore appraise the various problems and limitations of planning and determine the direction of the plan. They should determine what are the most important items upon which it should devote its time. It is therefore necessary to select the strategic elements of the future and to concentrate on those points.
Management in the Universities - Special reference to Kashmir University

The structure of organisation is regarded as the process of logically grouping activities, delineating authority and responsibility and establishing work relationships that will enable both the organisation and individuals to realize their mutual objectives. Nevertheless the Universities have tended to be negligent in this important phase of management. It appears that University structure has grown more through expediency rather than design, although it tends to lead to inefficiency and slow growth. Harold W. Stokes expressed the same concern at these deficiencies when he said, "For many colleges are not distinguished for clarity and efficiency of organisation. Yet the importance of good organization can hardly be over estimated. It reduces frustration, conserve time and energy." With the increase in pressures on administration of the Universities more attention should be given to organisational structure in order to improve the efficiency. Further, the University Management should give careful attention to the framework of institution and individuals placed in that framework. If the person fits well in the structure, if he understands his place, and if his duties are well defined, is more likely to be proud and happy in his relationship—his effectiveness is greatly enhanced.

The basic organisation structure of a University is a function of objectives, size, complexity and the individuals institutions philosophy of education. Further, when the size of an institution grows and the scope of its teaching, research and
public service activities widens. Effective communication becomes more difficult to achieve and arises the necessity for reorganising the structure of the University. As such administration, organisation should be designed keeping in view these factors.

1:3:1 Criteria for Good Organisation Structure:

The structure of any organisation is the architectural plan of a building. The more clearly setout, balanced, and utilisation the plan, the stronger and more serviceable the building. For the structure of the educational enterprise to be deemed appropriate consideration should be given to the following criterion:

a) the objectives of education and types of the activities required to be achieved;

b) the benefit of specialization and how to maximise such benefits in the interests of the enterprise;

c) the limitations of functional authority and how best to distribute and harmonise the authority levels;

d) problems of communications and to ensure communications between the levels and functions;

e) Size, shape and location, and capacity of the enterprise and what administrative structure best fits such.
Therefore the structure of an enterprise effects the administration of the systems. However, a good organisation alone is not panacea for all organisational problems. As Drucker argued,

".... good structure does not by itself produce good performance—just as a good Constitution does not guarantee great president or good laws or moral society. But a poor structure makes good performance impossible no matter how good the individual manager or administrator may be. To improve organisation structure will always improve performance."

Therefore the principles of organisation are to be applied with common sense based on experiences. These guidelines therefore would enable educational planners and administrators to determine when a new structure is fit for adoption.

The concepts of organisation and structures include certain elements and issues related to departmentation, centralization and decentralization delegation of authority, span of control, unity of command, line and staff committees.

1:3:2 Departmentation:

Departmentation implies the creation of Departments in an organisation. The Departmentation involves the division of activities and functions into groups for effective operation, the establishment of relationships between individual performing different functions in the given unit, the creation of conditions which would knit the group into working units, etc.
The major objectives of the organisation are:

1) Primarily to free the President or Vice-Chancellor of a University, and secondarily to free each of the four major administrative officers from all routine duties and routine decision-making. This freedom will allow more concentration on exceptional and broad problems;

2) To have every major function of the University represented by the Pro-Vice-Chancellor with only exceptional problems to be handled by the Vice-Chancellor and the governing body or Executive Council;

3) To group the activities of the Universities into organisational frame work that gives specialization and familiarity with problems which can be utilized in decision making at all levels.

As against these considerations let us now discuss the organisational structure of three Universities viz. Delhi, Andra and Kashmir.

1:3:3 University of Delhi:

The present organisational structure of the University of Delhi is given in Chart-I. It can be observed from the chart that present organisational structure of the University is arrived at on the basis of functions and geographical locations. It can be observed from the chart that Vice-Chancellor is the head of the
institutions. The Dean, College, Pro-Vice-Chancellor, and the Director South Campus are the officers who are directly reporting to the Vice-Chancellor. It can be observed from the Chart, that position of the Pro-Vice-Chancellor is given more powers, under him three main functions of the University viz. Finance, Administration and Examinations are included. In addition to these functions Dean Planning and Administrative reforms is also attached with the Pro-Vice-Chancellor increasing his span of control further.

1:3:4 2 Andhra University

The Organisation Pattern of the University is given in Chart-II. It can be observed from the chart that there were eight authorities equal to the rank of Registrar that are functioning under the Vice-Chancellor. Above these authorities Rector is also required to work under the control of the Vice-Chancellor. The main function of the finance is kept under the charge of the Registrar.

1:3:5 University of Kashmir

The present organisational structure of the University of Kashmir, is given in Chart-III. It can be observed by the chart that entire administration academic and non-academic is being looked after by Registrar. Under him, five authorities are functioning equal to the Rank of Dy. Registrar. The Controller of Examinations is looking after the Examination, conduct and evaluation. The Dean College Development is reporting to the Vice-Chancellor, directly. Many unrelated activities were attached to different sections, for example, the Dean College Development is
also given additional charge of the planning and budgeting, which is, outside the purview of his activities.

Thus the organisation structure of the Universities in India differs from University on the basis of the type of the University, size of the University, area of operation number of campuses and functions.

1:3:6 Centralization & Decentralization & University of Kashmir:

In centralization, the facilities division and authorities are concentrated at one point or level of organisation. Decentralization on the other hand implies the location of facilities, decision and authorities at different points or levels or locations of organisations. In modern administration of the education, there is increasing tendency to decentralize facilities, authority and decision-making.

The decision making in the Indian Universities, particularly the State Universities\(^{140}\) is centralized. Even on routine or simple matters decisions are not taken by the concerned section heads, but are passed on to the officers who in turn pass them on to higher officers. Added to this sometimes suggestions are made that matters, be referred to some Committee or the other without looking into the validity or relevance and importance of the matter to be referred to the Committee. The net result is that all the routine administrative matters irrespective of their importance are invariably reaching the Vice-Chancellors for their comments or orders. This is what is happening in University of Kashmir.
Thus, the matters in the form of Office notes, which for all practical purposes is a mere reproduction of the contents of the letter received, prepared by the clerical staff are passed on to the Vice-Chancellor, through the various channels in the hierarchy viz. Section Officer, Assistant Registrar, Dy. Registrar and Registrar. The net result of the above practice followed conventionally leads to:

i) Unnecessary paper work in view of the preparation of the draft notes, typing etc;

ii) Delay of decisions, causing inconvenience to administration, students and teachers and society;

iii) Feeling among the staff that volume of work is high at all levels right from the clerical level to the Senior Officers;

iv) The Vice-Chancellor, being over loaded with routine administrative work leaving no time to pay attention to important policy matters.

v) The work of the Committees increasing considerably.

This is the problem which is faced by the University of Kashmir. A considerable part of the Vice-Chancellor's time, which is more precious is being devoted to matters which can be disposed off at lower levels. The present system, through its operation is causing abnormal delay in decision making. Same is true of Examination, though there is a Controller of Examinations, but maximum examination work is referred to Vice-Chancellor for deci-
sion making, resulting in delay in paper setting, conduct of examination and publication of the results. All this has resulted in much anguish and dissatisfaction on the part of the students, teachers and public at large. Therefore, what is urgently required in the system is upgradation and strengthening the position of the Controller of Examination. His reliance on administration should be minimised.

13:7 Delegation of Powers:

The need for the delegation of authority in an organisation increases with increases in scope, service, departmentation and decentralisation in the organisation, and how best delegate the authority becomes a key element in the organisation and structure of the organisation/establishment. The Executive's true productivity should not be measured by how much work can he do as an individual, instead it is measured by how much he can accomplish through others. The process of delegation of authority has three aspects namely:

i) the assignment of the executive duty to immediate subordinate;

ii) the granting of permission rights or authority to carry out the duties or assignments; and,

iii) the creation of an obligation to perform the duties on the part of subordinates for satisfactory performance of their duties.
The delegation has some advantages, such as:

i) the administrator has more time to plan and think;

ii) delegation encourages initiative on the part of the subordinates. Initiative in turn improves morale, because people take interest in their work if they are given an opportunity.

iii) delegation improves decision, because it minimises the necessity for sending recommendations up to the chain of command, to decision makers several persons above the point, where the recommendations were initiated.

Despite advantages of delegation, the University administration do not often delegate adequately and effectively. The first major barrier to delegation is the unwillingness of superiors to delegate because of a fear that subordinates may not do the job satisfactorily. These administrators are usually conscientious and have the conviction that the job cannot be done right unless it is done by themselves. They also do not delegate due to fear of losing importance, fear of loss of control, fear of exposition, unwillingness to take risks and distrust. There is also unwillingness on the part of subordinates to accept responsibility. But despite those obstacles the authority has to be delegated in all kinds of organisation.
In University of Kashmir, there is no specific delegation of authority to different lower levels. Because of this decision making is totally absent at almost all levels and even unimportant and routine matters are passed on to the higher officers. Due to lack of specific delegation of authority, the various officers including Executive Engineer, Medical Officer, Librarian, etc. deal with matters purely of technical and important in nature, have to depend on the Registrar's Office and go through the entire process for decision on routine and simple matters. As a result of which there is considerable delay in providing the requisite services causing resentment among the students, teachers and administrative staff. Most of the files of other Departments go to the level of Deputy Registrar, Registrar and Vice-Chancellor for disposal. Quite often a note prepared by Junior Assistant passed through five or six levels before it reaches the Vice-Chancellor for final decision. It has to come all the way back to the Junior Assistant for implementation of the decision taken. This not only leads to delay but also encourage the shifting of responsibility on the one hand and excessive dependence on the Higher authorities on the other. All this leads to tremendous increase of file disposal work at higher levels which adversely affects their initiative and drive in policy making. The main reasons for the inadequate or no delegation of powers in the Universities is mainly due to the reluctance of the top administrators. They believe that they can make better decisions than their subordinates. Further administrators are hesitant to delegate for fear of losing their importance and control. This had led to administrative inefficiency and also distrust in the University system.
Line and Staff Authorities:

The line authority refers to the basic and fundamental authority in the organisation, line authority implies the ultimate authority to command, act, decide, direct on the matters affecting others. The line authority approves the objectives of the institution. Staff authority, on the other hand, is the authority of the general and special staff. The staff in an organisation includes all the workers, technicians, professional experts, etc. who control, direct or implement their various decisions in accordance with the policies stipulated by the line staff. The relationship between line and staff personnel can be drawn from the relationship between a Managing Director and the workers in a firm.

In the University of Kashmir the non-teaching staff has only a staff-role, since they have to implement the established policies of the institution and they do not have any authority to take decisions. But sometimes conflicts do occur in line and staff authority. For example, Registrar is often delegated the authority to determine whether an individual meets the institutional qualifications for being considered as an individual candidate for a vacant position. If the Registrar disqualified an individual whom the Dean of the Faculty wants to appoint to this position, the Dean of the Faculty may feel that Registrar has assumed "line" relationship with his department. In such a situation the Registrar, is actually serving in a staff relationship to the line officer who delegated him the responsibility of acting on his behalf.

Even though the non-academic personnel are to act as the staff, their role in the affairs of the University cannot be
undermined. On the contrary the top line administrators expect more and efficient service from the non-teaching staff. While coming to the relationship between the teachers and non-teachers, all are aware that the Universities are created mainly for teaching and research and academics are expected to occupy the line position. In the process they take the help from non-teaching staff and thus non-teaching staff are required to help or facilitate in the line in arriving at the decision. But unfortunately over the years due to the increase in the number of teaching staff and centralization of authority in the University of Kashmir, the non-teaching staff at the higher level are trying to occupy the line functions and are trying to dictate to the academics. It is astonishing to note that in recent past, some of the non-teaching staff union are claiming that they should be given the Posts of Registrar, Joint Registrar, Controller of Examination and even the Vice-Chancellor.

1:3:10 Committee Management in the University:

The primary functions of the Committee is to make or suggest decisions on problems or deliberate upon problems without any authority to decide. Some have authority to make recommendations to the Vice-Chancellor, who may or may not accept them, while others are formed to collect information only without making any formal recommendations. A Committee may be either line or staff depending upon the nature of the problems or on the authority for its creation. The Committee may be formal or informal.

The administration of the Universities and also University of Kashmir is in addition administered through a large number of Committees. The Acts of all the Universities have provided certain
Statutory Committees. The Kashmir and Jammu Universities Act, 1969, also provide for statutory Committees for selection and appointment of Examiners, Finance Committee, Selection Committee, Development Committee, Result Publishing Committee, Garden Committee. In addition the University Act also lays down the every authority viz. The University Council, the Syndicate, the Academic Council etc. shall have the power to appoint Committees for dealing with any matter within their purview. As a matter of fact, system in the University is the dominant feature of the University Administration. In large Universities like Delhi University, Aligarh University more than two hundred Committees share in the administration and advise on policies, ranging from academic committees, budget committee, committee of committees. In the University of Kashmir, besides the Statutory Committees, Non Statutory Committee are also constituted e.g. Purchase Committee, Transport Committee, Printing Committee etc. Then smaller committees to probe in a problems etc. are constituted to help the administration.

Apart from the meeting of the Statutory Committees there is such a proliferation of the Committees, Sub-Committees, and Committees of the Committees that engagement calendars of the University officials, Deans and Heads of the Departments are usually far too full leaving them hardly any time for quiet, sustained and constructive work. Following are the observations based on the analysis of the various aspects of the Committees in the University:

1) The Committees are constituted on slightest provocation and search for the terms of reference is made later, and usually terms of reference overlap.
ii) Usually no specific time limit is fixed or prescribed to the Committees to complete the investigation and present its recommendations.

iii) The officers of the University do not take any responsibility even in routine matters and cases are referred to the Committees.

iv) The number of items on an Agenda (for example SCAC) is very high. This is due to the fact that even simple, routine, and irrelevant items are referred to the Committees by the officers. This leads to postponement of the meetings.

1:3:11 Leadership and University Management

The leadership is the paramount necessity in the University planning, financing, operational policies and expansion. The attainment of leadership is the greatest single need and its application the greatest single solution for the problems of the University administration. According to G.R. Terry, "Leadership is the activity of influencing the people to strive willingly for group objectives." Koontz and O.Denell state that leadership is influencing people to follow in the achievement of a specialized goals." The leadership is an art of influencing and directing man in such a way as to obtain their willingness obedience, confidence, respect and loyal cooperation in order to accomplish the mission.

The leadership is of three kinds, They are charismatic leadership, situational leadership and functional leadership. A
successful leadership appears to rest on three basic skills viz. technical, human and conceptional. The technical skill implies in an understanding of and proficiency in, a specific kind of activity, particularly one involving methods, processes, procedures and techniques. Technical skill involves specialized knowledge, analytical ability within that speciality and faculty in the use of tools and techniques. The human skill is concerned with the ability to work with the people. This skill relates to, how individual perceives his superiors, equals and subordinates. The conceptional skill on the other hand involves, ability to see the enterprise as the whole, it includes recognising how the various functions of the organisation depends, and how changes in one part affect all others.

It would appear that at higher level of the leadership conceptional skill is most important and at lower level, the technical skill is needed. The Chief Executive may lack technical skill and human skill, but can still be effective and successful, if he has subordinates who have strong abilities or these directions. But if the conceptional skill is weak the whole organisation may suffer. Even though most of the Vice-Chancellors in the Universities in India are expert in their fields of knowledge and some are known for their contribution internationally, yet they fail as administrators of the University. This is mainly due to lack of proper knowledge and training in the field of administration of the Universities.

A sound, efficient and well planned University administration programme is very necessary for stable and meaningful growth and development in the developing countries. There is an urgent need that University Administration for e.g. of University
of Kashmir, should advance from its present state, traditional administrative setup, to modernization in management. The planning has not been given the requisite importance and the activity of the planning in the University is at the lowest ebb. The administrators are so much obsessed with day-to-day problems that they have become crisis managers. Priorities are never fixed, procedures not followed, methods and systems are developed and they are little bothered about strategies.

2. The majority of Universities in India do not have separate cells to look after planning activities. The Development Officer sanctioned by the UGC is used not for planning and developmental activities, but for some other purposes. In University of Kashmir, for example, planning is not effective due to some defects, lack of policy, procedural rigidity etc.

3. The University structures have grown more through expediency, than through design. This has let to inefficiency and slow growth. The present organisation structures in the University of Kashmir is responsible for many ills of the University. There is lack of decision making at all levels. The duties and responsibilities in the hierarchy were neither defined nor classified. The hierarchy sometimes by passes the levels, along lower level employees also to violate the principles of the Unity of command. The line and staff authorities are trying to occupy the line, though they are not having any authority to do so.

4. For successful execution of work effective leadership, proper communication, supervision and motivation is required. However in the present system all these important factors are almost absent in the administration of Universities in India. Leaders have
failed to lead the people, students, teachers, and non-teaching staff towards the goals due to lack of knowledge on the skills necessary for the leader. In majority of the Universities control mechanism is missing. The establishment of standards, measurement of performance and correction of deviations are never followed. The University prepares budget but no budgetary control is applied. Thus present problem of State Universities in India, and especially Kashmir University is lack of planning, defective organisational structure, faulty staffing procedure, ineffective leadership and absence of control mechanism. A high level of sensitivity and understanding is necessary for handling day-to-day problems of the academic community in education and research institutions. A new orientation in thinking and practice is necessary to promote the culture whereby creative people can function with freedom for advancement of knowledge. The administration has to play important catalytic role, for creating and developing a learning culture which is very essential for the success of an educational institution or University.
ORGANISATION STRUCTURE OF UNIVERSITY OF DELHI

CHART I
Planning & Management of Distance Education

The Distance Education is a complex system, which raises complex managerial problems. It needs strategic planning at all levels and coordination at various stages. Effective use of the available resources, coordination in the preparation of course materials, organisation of the delivery of the study materials to thousands of scattered students at their houses, provision of local support services is an enormous tasks in itself.

1:4:1 Planning in Distance Education

Planning is the core of management activities. It enables an institution to initiate, to survive, and to adopt in the changing environment. Forward planning does not appear to have entered in the field of education administration as conventional institutions can do without it. But due to its complex nature, multiplicity of new activities which it undertakes, and the influence of the industry, the Open Universities needs planning to perform consistently and effectively. A formal plan for five years period and detailed action plan for one year immediately is must.

There are three continuous stages in distance education i.e. planning during conceptual stage, planning during evolutionary and growth stages and planning during maturity.
Planning During Conceptual Stage:

Before a distance education institution is setup, it is necessary to ask questions as - why a distance education institution is necessary? Who is to examine the feasibility and desirability of such an institution - a planning committee or an external consultancy? Who will take decision to setup the institution, the Central Government, State Government, or University or a private body? What is the time game for establishing of the institution and resource allocations? Who will provide funds during different phases of its development etc. Several countries in the region have undertaken planning during the conceptual stage. The educational needs of the country or region are assessed well in advance, and in the light of these needs the establishment of distance education institutions are recommended. In Thailand Planning Committee did the spade work relating to the establishment of an Open University. In Pakistan University was established by the Act of Parliament following the New Education Policy of 1972. Although in China, there is a long tradition of Correspondence Courses, establishment of Central Radio Television University (CRTU) is the result of the recommendation of the Steering Committee which consisted of representatives of various Ministries of Education, Broadcasting, Administration, Post and Telegraph etc. In India two Open Universities were established one at State level and another at National level - are the results of the reports submitted by the expert committees appointed by the respective governments. Thus at the conceptual stage the planning has been done with regard to the establishment of the Open Learning institutions.
1:4:3 **Planning During Growth Stage**

In this phase, there are two major areas of planning, the launch of initial courses and planning for the physical institutions including the technological infrastructure and recruitment of intellectual services. The plans in each of these two major areas have to be integrated. During the growth stage, the Distance Education planners are supposed to evaluate matters relating to students, courses, media, faculty, assessment, examination, organisation, management, finances etc. Then issues relating to staff, how many and how to recruit them is to be taken into consideration. Some crucial decisions regarding preparation of print material, its production and distribution are to taken. Action is also to be taken regarding broadcast media, and its proportion in the total learning package. Types of study centres to be established and finally assessment of the system.

1:4:4 **Planning During Maturity**

The AIOU, Pakistan and STOU, Thailand has been doing exercises of this nature. The planning tasks in the maturity stage can be divided into two broad areas, namely, the review of existing courses and planning of new courses and planning by way diversification, some courses have life cycle, and if they are no longer in demand, the institutions have to take the lead in withdrawing them. This is necessary to keep the institutions in finely tuned. Simultaneously, the obsolete courses have to be substituted by new courses based on monitored changes in the society. Some times educational institutions may also diversify its activities such as open television transmission or marketing of educational cassettes etc.
The strategic choice which concerns planners in distance education revolve round the following:

- the choice of media
- the structure of teaching year
- the timing of project implementation
- the extent to which use of other agencies is to be made
- the pattern of employment
- the basic philosophy of the institution.

After long term and general strategic planning process is completed; the planners may concentrate on the operational plans, which are directly related to the implementation of the plan and with the functioning of the institution. These operational plans formulated as action programmes are one of the most crucial working documents of formal planning because on the one hand they are directly linked with the goals, objectives and strategic planning of the institutions and on the other they specify the nature of the work to be undertaken, who is responsible for the work, what responsible person is supposed to do, and how the job is completed, how the results are to be measured.

The operational plans are formulated at different levels. These plans are to be broken into minute details and flow charts are drawn for various activities. Participative planning process is an effective way of focussing the efforts of the staff and setting up priorities. The Distance Education Institutions shall have to maintain a calendar of events for each course offered and use of the course by students population.
The management of autonomous institutions is different from the management of the mixed institutions. The broad framework of the management system of the autonomous distance education institutions is similar to conventional Universities though it may be different in its organisational detail. For instance in Pakistan the President of Pakistan is the Chancellor of the University, the Minister of Education is the Pro-Chancellor and Vice-Chancellor is its administrative and academic head (Table -I). In Thailand, the governing bodies of the Universities are the University Council and Academic Senate. The Chairman of the Council is appointed by the King (Table-II). It elects one of its members as the Chairman. The Academic Senate is responsible for the academic affairs of the University. The Rector is the academic and administrative head of the University and is assisted by the member of the Vice-Rectors. In India the President of India is the Visitor of the Indra Gandhi Open University as is the case in Central Universities (Table-III). There is Vice-Chancellor who is administrative and academic head. He is assisted by few Pro-Vice-Chancellors. The decision making bodies are Board of Management, Academic Council and Planning Board. The management of Andra Pradesh Open University is similar to the structure of other Universities in the State. The Vice-Chancellor is the head of the University. The Executive making bodies. The organisational structure evolved by YCMOU is shown in the (Table-IV) and their linkage with stages of work is shown in (Table-V).
CHART - IV

I.G.N.O.U. Organisational Structure

Board of Management

Planning Board

Academic Council

Vice-Chancellor

Pro-Vice Chancellor Academic
Pro-Vice Chancellor Administrative
Pro-Vice Chancellor Stride

Deans

Academic Coordinating Schools
Director
Distance Education
Director
Computer
Director
Registration/Evaluation
Director
Continuing Education
Director
E.T./Media
Director
Library
Registrar
Production
Director
Recognition &
Structure of Organisation YCMOU

Chart - IV
STAGES OF WORK AND ORGANISATION STRUCTURE

- Stage 1: Planning
- Stage 2: Production
- Stage 3: Evaluation
- Stage 4: Delivery
- Stage 5: Product Development
- Stage 6: Maintenance & Revision

Programmes: Academic Section, Academic Division, Student Service Division, First Production Centre, A.V. Centre

Support Centre: Computer Courses, LARC, Administration, Coordination, Infrastructure, Finance

Long-Term Programmes: Study Texts (A.V. & Kits)

Related Divisions: Academic Division, Planning/Coordination
In devising the organisation structure for distance education or Open University, following aspects are essential, namely:

i) Distance Education Institutions have academic as well as industrial characters. The organisational structure must cater to both;

ii) Organisation structure should be such as to ensure sufficient autonomy to the distance education institutions. There should be decision making bodies within the Distance Education Institutions which are vested with authority to take decisions relating to the system;

iii) The various aspects of distance education work such as registration, records, evaluation, academic affairs, educational technology, services, documentation information, and planning need to be organised as district Units with operational freedom closely coordinated;

iv) The academic work is to be done at the departmental or school levels. Whether there should be discipline based departments or not is a matter with distance education institutions to decide. Since most the programmes of distance education are inter-disciplinary in nature. Therefore only the schools setup will be useful.
v) For the distance education programme to be strong some face to face instructions needs to be provided. This would involve student support service, i.e. organising Regional/Study Centres which will provide facilities for face to face teaching for the learners.

Three organs are suggested for policy planning, management and efficient implementation of distance education, namely:

i) A Planning Board should be constituted. This should be thank think of the Open University or Distance Education Institution, providing necessary guidance to other organs of the University. This Board should consist of outstanding academicians and educational administrators, who should advise and plan for proper development of the University. Such Boards exist in Open Universities.

ii) There should be Executive Council which should be principal governing body of the University. To bring into Open University wisdom and experience from different walks of life and for Distance Education Institutions, a Board of Management should be created from the development of distance education.

iii) An Academic Council should be the Principal academic body of the University and there should also be a Finance Committee. The head of the University should be (i) Ex-Officio as the case of India and
Pakistan, or (ii) elected as in UK or (iii) appointed Head of the State as in Thailand. The nomenclature of the Chief Executive of the Open University, is same as is the case with Conventional University. Whether it is Vice-Chancellor, Rector or President. The jurisdiction of the Open Universities is entire country or whole of province as in APOU in India.

The provision of Study Centres is an important feature of the distance education systems. The major functions of these Study Centres would be to provide tutorial services, Library and laboratory facilities and counselling and guidance. Such study centres are located in existing conventional educational institutions, thereby, making use of the existing resources both academic and infrastructural. These centres are to be supervised and watch. The Regional Campus, part-time tutors and counsellors to be created and are to be involved in number of course delivery activities from class room teaching to teleconferencing. 157

1:4:7 Budgeting of Distance Education:

In educational institutions generally three patterns of budgeting are employed. For example in the context of expansion and development of the budgetary thresholds and projected provisions remain unquestioned, consequent upon which budgets go on increasing till they become conspicuous enough to be let alone. In such situation, the budget may coded on a nominal basis, they way it is done in conventional education—salaries, building, laboratories, services etc. However, in view of the present work
economic situation, management should realize that such incremental budgeting cannot be practised for long.

The second type pertains to a situation where resources are limited and the management has to make the best what is available. Such a situation makes it necessary to review the budget periodically and adjust allocations accordingly. The budget may be coded purposefully either on functional basis or on programme basis by focussing on actual out-puts.

The third type, the institution may have to opt for revenue budgeting if the economic situation is difficult but not constrained. In such budgeting the levels of income and expenditure are likely to remain at par. In this case, the coding of the budget may be done either on a nominal basis or on functional basis using materials development, production and presentation as major head of the expenditure.

Lastly in some institutions it is not possible to have yearly budget at all. Instead funds are obtained for individual tasks, projects, etc. Thus the Budget is fluid throughout the year, and there is hardly any wayout to build future projections. Such approach is called supplemental budgeting in which budget has to be coded on programme or project basis.

A particular distance education institutions may have to pass from one type of budgeting to another or one or more types. Thus the Budget is fluid throughout year and it is advisable to adopt mix of Budget types for example Supplementary Budgeting for individual based education, Zero-based budgeting for community education and so on. Thus the financial management of the distance
teaching institutions is much more complex than that of conventional one. But in most cases, the financial managers of the conventional system are asked to manage the finances of distance education institutions.

The Distance Education Institutions should explore the various means of cost efficiency—use whatever material are available in the field and Media support should be brought in if it is justifiable pedagogically, student support service in the form of Study Centres and Summer Schools too should be justifiable pedagogically— and if such services can be avoided with reason there should be no hesitation in dosing so. The possibility of transferring class-room teaching to distance learners through video-taped lectures and written notes/outlines should be explored and course meant for and taken by in service professionals should be made not only self-supporting but profitable also, so that they may support other courses given by the institution. While deciding on the media-support to be given to the distance learners, careful assessment is to be made regarding the cost of average media and whether or not the students have access to such support and how for the institution can effect this support and the lines of courses be extended beyond the originally planned periods.

The measures of cost effectiveness are essential to any decision making in Distance Education Institutions. For example if the course completion or graduate rate are the measures of success, logical indices are "cost-per completion" so distance Education institutions should develop strong Research Monitoring Cells to evaluate and monitor the courses in terms of cost and effectiveness.
Management of Distance Education in University of Kashmir

The Distance Education started with conventional Universities in 1962 and now 46 Institutes of Correspondence Courses have been established in the conventional Universities. The Institute of Correspondence Course was established in University of Kashmir in 1976 and in 1985, the institute was upgraded as the Department of Distance Education. The financial assistance provided by the Department of Distance Education, by the State or University is negligible. The Department of Distance Education is being exploited and forced to divert the revenue earned by it to the University, whereas the guidelines of the UGC points out that the surplus revenue earned by the DDE needs to be spent for growth and development of the Distance Education Institution. The treatment of University towards the DDE is that of a Milking Cow rather than the assisting sister concern disseminating education. This problem creates lot of Management problems for the DDE.

Secondly the DDE, working within the Kashmir University is sharing the Ministerial staff from the University. The staff so far working in the formal setup hardly understand the bottlenecks of distance education, this causes considerable delay in the delivery system.

Thirdly, the DDE, supplies the Study Material to the learners and no Audio-Video Support is provided. The Study Material is to be re-structured and converted into a self-instructional form. The entire course material is to be written into distance education format and each lesson unit is to be supplemented by Radio/TV programmes and Audio-Video Cassettes.
1:512 Structure of Department of Distance Education:

A bird's eye view of the organizational structure of DDE, University of Kashmir, indicates a stable functioning of Distance Education, with weak administrative setup and inadequate core academic staff. The Chairman/Director occupies the apex position of the DDE with dual responsibility of administration and academic activities. The Chairman/Director is assisted by the Assistant Registrar, Section Officer and other subordinate staff. On the academic side the Chairman/Director is assisted by the small core academic staff who take the responsibility of instructional activities, arrangement and management of contact programmes and counselling. The hierarchy of the teaching staff can be read as Professors, Readers and Lecturers. The DDE seeks cooperation from the teaching staff of parent departments, Colleges, DIET's and of other Universities like Jammu University and Jamia Millia Islamia, Delhi in managing instructional activities. In 1985, the University Council established a Faculty of Non-Formal Education, with three Departments i.e. Distance Education, Adult & Continuing Education and State Resource Centre as its constituents. The creation of the Faculty of Non-Formal Education, has provided the opportunity to the DDE, to be represented on the University Bodies like Academic Council and the Syndicate. The core academic staff is insufficient and inadequate and whole structure needs reorganisation as shown in the Chart-I and II.
Present Organisational Structure of DEU, University of Kashmir

Chart 1
PROPOSED ORGANISATIONAL STRUCTURE OF DDE

CHART II
With these basic limitation the Management of the Distance Education has to operate within a conventional Universities framework under the hostile circumstances. The transition from conventional system of education to high tech model of open-system could not be digested by the advocates of the formal system within the University. The change there will have to be slow so that the University Administration and Academics gradually start appreciating the new system and prepare itself for a change from conventional to the non-conventional system over a period of time. There is an urgent need to have a dual mode system for the University where it has formal teaching departments and colleges of its own where conventional methodology is applicable and also have a wing to cater non-conventional demand of the state by facilitating technological interventions in higher education and provide educational facilities for those who missed the opportunities in their earlier career, and those who are interested in upgrading their skills, knowledge and certification of their abilities to enhance their mid-career opportunities by receiving quality education.

The need of an hour is to be develop a new model which is basically a Open University or Distance Education Institution, having diversified non-traditional courses being catered through fully developed student support service, and also catered by electronic media using the latest information and pedagogical technology. The communication with eminent teachers is also arranged through teleconferencing.

"Besides the University of Kashmir, has to give complete Academic, Administrative and Financial autonomy to the Distance Education only then it can respond adequately to the issues like, creditability of courses, self-development of the academic staff,
by means of research and extension activities and also to the socio-political aspiration of the democratizing the higher education on a large scale.

There are three models of dual Mode System, which can be referred, for the management of higher education.

1:5:3  **Indian Model:**

In India 46 Universities offer the Distance Education, within the conventional Universities. The DDE, is also operating with the conventional structure of the Kashmir University.

The DE, University of Kashmir, like similar institutions in other Formal Universities, have no autonomy, as decision taking bodies remain dominated by Units engaged in conventional face-to-face teaching. The academic programmes, course contents, assessment, schemes are all governed by the authorities and bodies in which Distance Education Units have best, limited influence. Consequently the DDE, cannot bring in any innovative change and the efforts goes into establishing proximity with the conventional system. The DDE, has small academic core staff and has to heavily depend on the parent departments of the University. The Academic staff of the formal departments give instructions to the non-formal students population into a formal or conventional way. Management system is same as is provided for the formal departments.
In Malaysia, the University Sains Malaysia offers distance education and conventional education both. The universities in Malaysia have separate units with academic staff to work on their distance education courses. The university holds the view that exposure of corporate life at a university is an obligatory component of a university's graduates' education. According to qualify at the university, a student must have spent at least one year as an on-campus student. The normal practice is that students who follow the distance education mode are to give one year more than the non-campus students for the same degree. This way distance learner experience both on-campus and off-campus studies to obtain a degree.

It is also known as Denkins Model. The Denkins University is using same academic staff for teaching the on-campus and off-campus students, this has ensured parity in academic standards resulting in creditability of distance education units and their products. The teachers also find it more challenging and stimulating to teach external students who are more experienced and are more motivated than the usual day scholars.

The best system suited for the India and also for University of Kashmir could be to temporarily placements of academic and administrative staff from formal to non-formal setup. This will facilitate both the wings to exercise decision making. The movement of academicians from one unit to another will enhance the credibility and up-grade the quality of teaching. It will also
facilitate the use of multi-media technology for on-campus and off-campus students both. Quality of teaching will also improve. Classes will become more lively, where effective communication of the knowledge would be possible and distance learners will also have a feeling of being catered by the best academics available. All these would need serious consideration at the hands of the planners and Management functionaries of higher education at University and state level.
Introduction:

The University Grants Commission Committee was set up in 1945 on the recommendations of the Sub-Committee known as Sargent Committee, appointed by Central Advisory Board of Education, to report on post-war educational development in India. The UGC Committee was supposed to concern itself with only three universities viz. Banaras Hindu University, Delhi University and Aligarh Muslim University. However, through an amendment made in 1946-47 the State Universities were also brought under its purview. The U.G.C. Committee was only a recommendatory body, since no funds were placed at its disposal, it could only make recommendations to the Central Government.160

In 1953 vide Resolution of the Government of India, interim UGC, started functioning. The U.G.C. as per the Dr. Radhakrishnan Commission, 1949 was to concern only with the allocation of funds and another body namely Central Council of University Education was to coordinate and maintain education standards.161 In 1953, a Conference of the Vice-Chancellors was convened. The Conference recommended a single Statutory Body, like U.G.C. in United Kingdom, be set up in India.

Accordingly U.G.C. Bill 1954 was introduced in Parliament in 1954 and U.G.C. Act was finally passed in 1956. The U.G.C. Act was
later amended in 1972 and in 1976 by yet another amendment the Education was placed under Concurrent List. It was again modified in 1985.

Composition

The UGC is a Statutory Body, all its members are appointed by the Central Government in the manner as laid down in the Act. The UGC under 1956 Act was to have Nine Members including the Chairman. The amendment of 1972 raised the number of members of the Commission to 12. This includes Chairman, Vice-Chairman, and 10 Members. The term of the Chairman is 5 years and that of the Vice-Chairman and others 3 years. No person can hold office for more.

ii.2 Functions of the UGC

The powers and Functions of the Commission have been given in the Chapter-III of the Act. The Commission has been charged to take such steps as it may deem fit:

a) for promotion and coordination of University Education &

b) for determination and maintenance of standard of teaching examination and research in the Universities.

The functions of the UGC as detailed in Section 12 sub-sections running from 'A'to 'K', are to inquire, to allocate and disburse grants, to recommend and advise, to collect information from Universities and to perform such unspecified functions as may be considered necessary.
113 Allocation of Funds

Sub-Section b, c, and d, of section 12 of the Act, deal with this function. They reveal that grants of the Commission can be given for one or more of the following purposes: maintenance and development, any specific or general purpose; all the Universities, whether Central or State or Deemed to be Universities are entitled for grants meant for development. However only Central Universities are entitled to get maintenance grants in full. These may also be given to Deemed Universities in special cases.

114 Recommendation and Advise

Sub-Section, ‘e’, ‘f’ and ‘g’ of Section 12 deal with recommendation and advise. Its recommendatory functions are limited to University only, but its advisory function has much wider range. Its function is to give advice to Central Government, State Governments, Universities and other authorities but only when such advice is sought. The UGC is also to give advice to Universities regarding measures necessary for improving University Education.

115 Collection of Information

Under, sub-section ‘h’, UGC is empowered to collect information in all matters pertaining to University Education as it deems fit, from India and abroad, and make the same available to any University.
Specific Information

Sub-section 'i' UGC can demand information from Universities when need arises. It may be with regard to financial position of University or with respect to studies in different branches of learning undertaken in that University together with all the rules and regulations relating to the standards of teaching and examination in that University.....

Section 12A and 12(B) gives regulation of Fee and prohibits donation in certain cases. It also prohibits, giving of any grant to a University not declared by Commission fit to receive such grant.

Inspection:

Section 13 gives power of inspection of a University to UGC, after securing consent of the same. The inspection has to be in prescribed manner or specific purposes of ascertaining financial needs of the University, and its standard of teaching, examination and research. The Commission shall communicate to the University its views in regard to the results of any such inspection, and action to be taken as a result of such inspection.

Penal Act

Section 14 empowers Commission of withholding grants in case it fails to comply with recommendation of UGC given to it under the Act.
University Grants Commission—An Analysis

The Central Government provides funds to the UGC and UGC in turn give grants to the Universities. The interaction of Centre with UGC is one of the mutual trust and cooperation. The UGC is enjoying appreciable autonomy in the re-allocation of funds to the Universities given by the Central Government. The relationship between UGC, Universities and State Governments is highly complex in nature. The State Universities are often created with or without the consultation of UGC by a Legislative Enactment. Even some specific Faculties have been created by the States, giving the special status of a University. In order to prevent mushroom growth of Universities, the UGC inserted a new section 12(b) of the Act in 1972. Accordingly, no grant shall be given by the Central Government, The Commission or any other organisation receiving any fund for the Central Government, to a University which is established after the commencement of the Act, 1972 unless the Commission has after satisfying itself as to such matters as may be prescribed, declared such University to be fit for receiving such grant. The Central Government has also notified that "fitness of grant" rules applicable to all Universities as per the above section. In spite of this section there has not been any substantial improvement in preventing the establishment of the Universities.

The State Universities get its financial assistance from the state in form of "Block Grants" and "Additional Grants". The UGC is only interested in the adequacy of the State assistance or maintenance grants. The academic posts sanctioned and financed by the UGC during the preceding plan period will become regular posts
sanctioned and financed by the University and in turn by the State in the succeeding plan.

The Conference of Vice-Chancellor in 1989 in Srinagar, Kashmir, resolved that University Grants Commission in consultation with the State Governments should determine the needs of each University and a categorical assurance be taken for release of the matching grants.166.

As for as the functions of the UGC are concerned, certain constraints have been observed. The UGC's main function is the promotion and coordination of University Education in India and for the determination and maintenance of the standards of teaching. The question whether the UGC current functions are adequate or not has to be examined through the analysis and evaluation of nature and scope of various functions.

1. There is a serious allegation that Commission is distributing grants, unequally to the Central Universities and Colleges of Delhi, on the one hand and the State Universities and Colleges on the other. Roughly Nine Central Universities got as much development grant, as 100 State Universities during 7th Plan. The Commission justifies this action on the ground that State Universities are receiving matching contribution from the State governments. However, their is an evidence of imbalance and bias. Since all the Universities are equal in status therefore equal treatment be given to all the Universities. Most of the State Universities are much older than the Central Universi-
ties. This discrimination helped the Central Universities to acquire higher academic excellence as against the State Universities.

2) Another function of the Commission under sec. 12 (ccc) is that it can establish and recommend establishment of Institution or Advanced Centres of Higher Education and Research for providing common facilities services, and programmes for a group of Universities. Accordingly it has established a Centre a Nuclear Science in JNU, Astronomy and Astrophysics in (Pune) National Information Centre of Science at Indian Institution of Science, Bangalore and so on. Even in this case the UGC has not been fair in its judgment.

3) Similarly the Commission has to take up schemes for rationalization of courses in the Universities. The national demand for certain courses is highly limited and demand could be met by operating such courses in few Universities only and not all. The Commission should disband the courses when they meet the man power demands. But the tendency on the part of the Universities is to retain the courses permanently on the grounds of continuity and continuation of the academic staff working in these courses. It is as such desirable to design highly productive, inter disciplinary, market oriented courses on the basis of man-power planning and disband them immediately after the demand is served.
Further the Commission, can recommend to the University the measures necessary to be taken for the improvement of the University Campus and quality of education. It is desirable that Commission should give recommendations only when requested by the University. This will generate a healthy relationship between the University and the commission.

The University Grants Commission was established by the Act of Parliament as nearly on same pattern as the British Model was, and give nearly the same powers and functions i.e. to appraise the needs of the Universities and distribution of funds to them. The British Model was followed in toto, although looking on the size of the country, the number of the Universities and Colleges to be supported and ever increasing number of students and Faculties, that model and its working was totally inadequate. Moreover, the Universities in India did not have same tradition of research and teaching as it existed in Britain. This blind following the British Model has not proved to be successful. 167

1. The efficiency of the University is a function of their academic freedom and initiative. Could the State need to require Universities to be accountable and public demand for the access and flexibility be reconciled with the Universities desire for independence? Given their promise, the UGC was formed at the Centre as a strong supportive "Buffer Commission" to develop strategy that would accommodate the demands of the States with least possible effect on the University autonomy.
Over the last Seven Five Year Plans the UGC established at Delhi has not been effective in evolving a stable buffer system throughout the States, and, hence the operation of single UGC has almost collapsed. UGC as it exists today appears to be at loss because it has not performed any of the two functions, as a "buffer" and as a "bridge". The increase in quality of education, has reduced UGC role to a considerably extent. The Academic UGC has become bureaucracy trying to promote higher education by remote control which in India is bound to fail. The UGC it is submitted, should have attempted to, established such "Buffer Committees" at the State level also, in the same manner as UGC plays for the Central Universities, and, to reorganise its own functions as a decentralized manner by established Regional Wings of the UGC to have closer liaison with the State or State Universities. These Regional Offices of UGC are need as they would be influential, understanding of Universities traditions and culture and give considerable authority to monitor the academic performance of the University. It is therefore suggested that Four Regional Offices be created and established in each region. Each region now has more than 50 Universities and approximately 300 colleges. Each State should also have a State Level Higher Education Committee, to monitor and evaluate the Academic achievements of the University.

2. Most of the UGC guidelines are not accepted by the State Universities, because of their rigid system. With country like India, having more than 200 Universities and 8000 colleges, it is not possible to provide more flexibility, as advocated by the UGC. There are two approaches to planning
higher education. One is "Perspective Planning" which aim to spell out in detail the scope and size of the entire system of the higher education over the next decade or so, and second is the "System Planning" which aims at evaluation of a system of higher education marked by diversity and flexibility. Unfortunately forces of rigid planning are dominant in the State Universities. This means effort of government officials to maintain tight control over standards, costs, functions and forms all in the name of traditional values of higher education. Diversity and autonomy is seen as a threat to power of the State, a threat to so called orderly government and a bureaucratic process. Diversity is also viewed as an academic anarchy.

In this context UGC has become a place where the revolution against tyranny has itself become tyranny. Celebrities receive more publicity, because they are well known men and women rise to high position because of their knowledge of affairs, only to find themselves cut off from the sources of knowledge. Though the Bosses, staff of the UGC is experienced, energetic efficient, even extremely logical in their approach to the problems, yet the performance of this national monitor of Higher Education itself needs monitoring.

3. On the legal aspect, the relationship between UGC and the Universities, Central or State is of two Statutory Bodies incorporated under separate Acts, which function in accordance with the provisions of their respective Acts and Laws. The UGC's duty as a Statutory Body is to allocate funds and disburse grants and that of a University as a Statutory Body to receive them for a common purpose of promoting higher
education, maintenance of standards of teaching, examination and research. Though under Section 25 & 26 of the Act, UGC does get an edge over Universities and any contravention of clause ‘e’, ‘f’ and ‘g’ of the section 26 gives rise for the operation of Section 14 which empowers the UGC to withhold grants. But rules and regulations made by UGC do not become operative in a University automatically, they have to be adopted by the University Council, Syndicate and some other bodies of the Universities. The UGC is an autonomous body constituted by the Act of Parliament. The Universities are not sub-ordinate to UGC. Legally speaking it is the Act of the University which is supreme, but in practice, in view of the grants of the UGC, the Universities are on receiving end.

As for as the State Universities are concerned this reliance for grants and funding is linked with State Governments and not the UGC. Therefore the influence of UGC on State Universities be fully brought under the umbrella of the UGC.

4. The relationship of the UGC with Centre and State Governments is a delicate matter. There is always a potential of disagreement between government and an autonomous body such as UGC. It is not too easy to provide any guidelines for the relationship between the UGC and the Government. The Governments are a very powerful bodies and with powers there is always a danger. The triangle of UGC, Central Government and State Governments poses serious problems of understanding, appreciating of each others views. It is submitted that if the standards of Higher education, are to be raised, each components cooperation is a condition precedent.
The Indra Gandhi National Open University (IGNOU) which was founded on September 20, 1985 by an Act of Parliament is responsible for promotion, maintenance of standards and coordination of open and Distance Education in India in addition to functioning as University for open learning and Distance Education programmes. To carry out its responsibility as the apex body of Distance Education in India, IGNOU established Distance Education Council (DEC) under Statute 28 of IGNOU framed under Section 25 of IGNOU Act, 1985. The DEC became operational in 1992.

DEC is a statutory authority consisting of 14 Members. The Vice-Chancellor IGNOU is its ex-officio Chairman. The Members of the Council include the Union Education Secretary, Secretary UGC, a member of the UGC, two Members of the Board of Management, Two vice-chancellors of the State Open Universities, Two Directors of Correspondence Institutes, three nominees of the Visitor and a teacher from Distance Education system. The Director DEC is the Secretary of the Council. The Secretariat of the DEC consists of Director, Deputy Director, two Assistant Directors and a complement of supporting staff.

1:2:1 Powers & Functions:

The major functions to be performed by the DEC, are the promotion, coordination and determination of standards of Open University Distance Education system.
1). Determination of Standards:

The DEC is vested with following powers and functions:

- Formulation of norms, procedures and practices in respect of admission, evaluation, completion, of courses requirement, transfer of credits, etc. of students admitted to Open Universities.

- Preparation of guidelines for organisations of students support services for the Open University /Distance Education programmes.

- Organisation of programmes of training for the development of human resources for the Open University / Distance Education system for such areas as course development, and production, organisation of support service.

Adding to those provisions the guidelines further states:

As the Open University/Distance Education Programmes are still at a very early stage of development in the country considerable attention will have to be given to the areas of system development. These include evaluation of on going programmes of Distance Education in the existing Universities from the point of view of their effectiveness, improvements to be made in the production of their self-instructional material, appropriateness of the media mix etc. So that some kind of norms can be developed to establish an acceptable quality for
Distance Education programmes. Financial support for taking up such studies as a special project may be considered during eighth plan.170

- Organisation of training programmes for personnel engaged in Distance Education in such areas as course design and developments preparation of self-instructional material production of audio-video programmes, organisation of student support service, development of effective evaluation procedures etc, is an important condition for improving the quality of Distance Education.

- Development of norms for engagement of academic and other staff, norms of work-load, institutionalization of the practice of contractual appointments and consultances, etc, are some of the areas for that might be considered for the effective functioning of the Distance Education system.

These guidelines already provided by the Distance Education Council at the time of its inception makes the ground clear for evolving the frame work for the role of DEC with regard to the maintenance of the standards in Distance Education institutions. This is to be based on the following assumptions:

1) The Distance Education institutions have a well organised administrative machinery with all necessary infrastructures;
2) The Distance Education institutions do not face any financial problems. The DEC is prepared to meet the budgetary deficits of the Institutions, and,

3) The Distance Education Institutions are quite willing to accept the Distance Education Council as their apex body and are prepared to implement the guidelines given by the Distance Education Council in letter and spirit.171

The objectives of DEC are to:

- Promote the Open and Distance Education system in country;

- Coordinate the Open and Distance system in country;

- Ensure the maintenance of standards in the education provisions made by Open and Distance Education Institutions in the country and

- Provide financial assistance to State Open Universities (SOU's) for development activities.172

Let us analyse the role of DEC, for promotion of aforesaid objectives in relation to Distance Education Institutions:

1:2:2. **Staffing Pattern in Distance Education:**

The DEC may evolve guidelines in regard to the staffing Pattern in Distance Education, in respect of qualifications,
experience and mode of recruitments. The DDE may arrange for the training programmes for the new recruits in the system. It may provide general guidelines regarding the staffing pattern for various courses and also set the norms for student strength, as that Institutions are able to maintain a balance between student staff ratio. The Institutions which may observe these norms may be declared eligible for grants by the DEC.

1:2:3 Approvals for new Courses:

The DEC being an apex body, functioning at par with UGC, with regard to Distance Education institutions may be required to get approval of DEC whenever they start new courses. The DEC is supposed to provide guidelines for such courses approvals. This would imply advanced planning on the part of the Institutions.

1:2:4 Designing need based Courses, Structures and Contents:

The DEC is expected to be in a position to better understand the educational needs of the society and to what extent the Distance Education Institutions are likely to meet them. Therefore DEC is likely to prepare socially needed courses, their course structures and contents, so that Institutions which want to start such courses may get the package from DEC and if necessary may effect modifications to suit the needs of the institutions and region.

1:2:5 Designing Student Support Services:

The DEC may provide a frame work for Student Support Services for the Institutions. It may also organise national level Study Centres in different States. The DEC may also evolve a common
formula with regard to the feedback in order to maintain the educational standards of the Distance Education.

1.2.6 Laboratory Facilities:

The Distance Education which was once confined to arts, social studies, and languages, has since extended to science subjects also. The Distance Education Council therefore has the responsibility to create laboratory facilities and conduct the practical. Similarly the Distance Education Institutions are offering job oriented, need based courses, for example, B.Lib.Sc. or Nursery Courses or Management programmes. These courses involve practical training, placements in Hospitals and industrial Houses. This can also be arranged and managed through DEC. The DEC, can further help in arrangement of Personal Contract Programmes PCP at an inter-state and inter-University level. The DEC is charged with the responsibility of providing linkage between State Open Universities and National Open University, The Distance Education Institutions and SOU and NOU, and linkage with international Open University system.

1.2.7 Future Plans:

The scope of activities of DEC are being broadened to enable it to perform the functions of an Apex Body for tertiary level open and Distance Education more effectively. There are proposals to extend the jurisdiction of DEC to Distance Education institutions operating in Conventional Universities. The Private Institutions of Open Learning will also be a concern of the DEC as far as maintenance of the standards is concerned. Some of the thrust areas of projected activities are:
- Development of Open Education Network

- Technical assistance for establishment of SOU

- Development of promotional material Audio-Video on distance Education.

- Encouragement to research in Distance Education, institution of research fellowships and awards

- Development of norm, and, guidelines for maintenance of standards of programmes offered through distance mode and other quality assurance measures.

- Strengthening of database on Open and Distance Education system of learning

- Conversion of Correspondence Programmes into Distance Education Programmes.

The DEC has to play same role, as UGC is to play for formal and conventional system. It may take some more time for DEC to become fully operational and effective. The presently the DEC's jurisdiction is limited to SOU's only and in near future all Distance Education Institutions shall be brought within the jurisdiction of the DEC. It is only then it can effectively plays its role of promotion of Distance Education in the country and maintenance of the standards.
Several Committees and Commissions setup during post-independence era examined the higher education system in the country and recommended several innovations towards making it more effective and responsive to the needs of the society. Due to the fact that higher education has also elitist, inaccessible to many and incapable of coping with the changing needs and aspirations of the society, the correspondence and Distance Education system was initiated in the country. It became necessary to take recourse to a very pragmatic mode of instructional delivery suitable to the needs of an individual client who may not necessarily come into a physical contact with a teachers and the teaching organisation.

The initiative of Distance Education in this country has come through many Committees and Commissions, the latest being the National Policy of Education, 1986. Starting from the establishment of Directorates of Correspondence Courses to the establishment of a National Open University with nation wide operation, Distance Education has come along way and is poised to leap ahead. 173

Evolution of Thinking, related to D.E:

Considering the heavy pressure on the formal system of higher education, the Planning Commission of India, gave emphasis to distance mode of education. The Planning Commission, highlighted the proposals for Evening Classes, Correspondence Courses, and award of External Degrees. An Expert Committee appointed by the Ministry of Education recommended the introduction of Correspondence Courses at the University level degrees or equivalent
The Education Commission (1964-66) asserted its concern over the excessive expansion of enrolment in Higher Education and suggested a dual but compromising approach of both selective and open door policies in different sections in higher education. It portrayed a gloomy picture of the quality of higher education in India in comparison to international standards and recommended a dual mode of higher education i.e. full-time, regular on campus education in Colleges and Universities and Correspondence Courses with open door admission on the other. It implicitly mooted the parallel systems of education through various means like contact classes and session, etc. The Commission also suggested promotion of Correspondence Courses in technical and vocational fields.

The National Policy of Education, 1968, mooted large scale implementation of Correspondence Courses. The NPE did not support the selective education policy approach recommended by the Education Commission 1964-66.

The policy noted as under:

"Part-time education and Correspondence education should be developed on a large scale at the University stage level. Such facilities should also be developed for secondary stage students for teach-
ers, and for agricultural, industrial workers".

It further stated:

"the education through part-time or Correspondence Courses should be given same status as full time education---- such facilities will promote the cause of education and provide opportunities to the large number of people who have the desire to educate themselves further but cannot do so on full time basis".

The Planning Commission while formulating the Fourth Five Year Plan (1966–71) envisaged that about 15% of the enrollment of one million expected during the Plan period, be provided through Correspondence Courses, evening colleges, and part-time classes. The UGC first time responded to the recommendations of the Planning Commission and Education Commission 1964–66, by appointing a Committee in 1967, to streamline the introduction of Correspondence Courses. On the recommendations of the Committee, the UGC formulated a set of guidelines to strengthen the qualitative improvements in the Correspondence Courses in the country with some modifications in 1983.

As per the guidelines, the Distance Education System was expected to provide educational opportunities to those who had to discontinue, formal education due to various reasons, those who were in the remote areas, those who could not get enrolled in the institutions of higher learning, those who may like to refresh their knowledge, in one’s own discipline or acquire knowledge in the new area.
The concept of Open Learning extended the thinking process of Indian makers due to popularity of Open University in Britain, established in 1969. This led to the appointment of Working Committee in the Open University in 1974 by Govt. of India, under the Chairmanship of G. Parthasarthy then Vice-Chancellor of JNU. The Working Group in its report submitted in 1975 recommended the establishment of Open University with country wide jurisdiction in order to provide quality higher education through the use of modern education technology to less privileged sections of society particularly those in the remote areas, women, workers in factories, farmers in the fields etc.

Concerned the target of the Open-University the Committee noted as under:

"The proposed Open University can obviously provide an opportunity of education to less privileged sections of society, particularly in remote areas, and also through second chance to those who could not go through a regular course of higher education for one reason or the other. Among the indirect benefits of the education few can be mentioned namely:

a) to provide leadership and useful material, to other Universities organizing similar courses;

b) to help smaller Colleges and weaker Universities with instructions and audio-visual material;"
c) to be a model organisation with facilities to coordinate education in different parts of the country and thus develop curricula applicable on national scale;

d) to approach and programme learning, and

e) to benefit not only the enrolled students but the public in general and conveying of material through Mass-Media, Radio and T.V.

The Committee thus showed deep concern on making higher education reach under-privileged sections of the community.

1:3:2 National Policy of Education 1986 & Open University

By the time NPE was formulated, there were 41 Institutes of Higher learning, including IGNOU that were offering Distance Education programmes to nearly 9% students population in higher education sector.175

The National policy of Education 1986 noted:

5:35. "The Open University System has been initiated in order to argument opportunities of higher education and as an instrument of democratizing education."

5:36. "The Indra Bandhi Open University established in 1985, in fulfillment of these objectives will be strengthened."
5137. "The powerful instrument will have to be developed with care and extended with caution." With regard to the implementation of the Policy, the programme of Action records the following:

1. The courses will be structured on a particular model with the facility for accumulation of credits, from the formal to non-formal system and vice-versa. The University Grants Commission UGC and Open Universities will frame detailed guidelines in this respect.

2. Standards will be prescribed to determine the minimum level of learning at every stage of education and criteria will be evaluated to objectively assess the levels of attainment, so that opportunities could be provided to all including the housewives, agricultural and industrial workers and professionals to continue their education.

3. To strengthen the delivery system of education/ Open University and media support to its programmes and for provision of separate Radio & T.V. channels.

4. In the discharge of its responsibility to coordinate the distance learning system and determine its standards, the National Open University will frame necessary statutes for the guidance/compliance of the State Governments who either wish to establish
their own open Universities or want to take the advantage of the facilities offered by the National Open University.

5. Arrangements will be made to develop a network of courses in open University system. This would mean that student joining one Open University can take course from another Open University. This system will therefore, offer a wide variety of academic programmes.

6. It is essential that the quality of the Open University Programmes and the efficiency of developing system is ensured- All Open Universities, should develop their programmes in close collaboration with the National Open University.

7. State Governments will ensure that Open Universities are established after very careful planning and that the required resources and facilities are available to them. The National Open University will also give financial assistance to the State Open Universities and Department of Correspondence Courses for development purposes.177

By the time the policy prospects on the NPE was discussed, theIGNOU was established by the Act of the Parliament in 1985. It represented the aspiration of Government of India, as well as, its citizens. The established of IGNOU was based on the experience of Dr. B.A. Ambedkhar Open University Andra Pradesh.
Indra Gandhi National Open University (IGNOU)

The Indra- Gandhi National Open University (IGNOU) was incorporated in 1985, by the Act of Parliament. It is the first University in the country that has been mandated to have the entire country within its jurisdiction, besides providing distance education programmes will coordinate to determine the standards in such programmes all over the country and provide funds to other Distance Education institutions. The Act 178 of the University records following objectives to fulfill.

"The objects of the University shall be to advance and disseminate learning and knowledge of diversity of means, including the use of any communication technology, to provide opportunities for higher education to a larger segments of population, and, to promote education well beings of the community, generally, to encourage open learning and Distance Education systems as the education pattern of the country and to coordinate and determine the standards in such system, and University shall in organising its activities, have due regards to the objects specified in first schedule."

More specifically the Open University aims at:

- strengthening and diversifying the degrees, diplomas, certificate courses which meet the needs of the employment and are necessary for building the economy of the country on the basis of her own natural and human resources;
provide opportunities of higher education to a large segment of the population, the disadvantaged groups in particular;

- encourage the Open University and Distance Education systems in the educational patterns of the country and determining the standards in that system.

- promoting acquisition of knowledge in rapidly developing and changing society and continuously offering opportunities of upgrading knowledge and skills;

- provide suitable undergraduate and post graduate courses and promoting research;

- providing Net-Working of the Open Universities and Distance Education institutions in the country and coordinating and maintaining the standard;

- promoting integrated development of human personality through its policies and programmes.

**Features:**

The University follows the principles of Open Learning and offers education at distance. Some special features are:
- flexible admission rules;
- individualized study, flexibility of place, pace and time;
- use of modern education and communication technology;
- extension of student support service for academic help;
- comprehensive evaluation scheme.

Powers & Functions

The main powers and functions of IGNOU are provided in Section 5 of the IGNOU Act. Some of the main functions are:

1) to provide for instructions in such branches of knowledge, technology, vocations and professions as the University may determine from time to time and to make provisions for the research.

2) to plan and prescribe courses of study for degrees, diplomas, certificates or for any other purpose.

3) to hold examination and confer degrees, diplomas and certificates or other academic distinctions or recognitions.

4) to determine the manner in which Distance Education in the University is to be organised.

5) to cooperate with and seek cooperation of other universities, institutions of higher learning,
professional bodies and organisations for such purposes as the University considers necessary;

6) to establish and maintain Regional Centres, Study Centres in the manner laid by the University;

7) to provide preparation of instructional materials, including films, cassettes, tapes, video cassettes and other software;

8) to make provisions for research and development in educational technology and related matters;

9) to admit to its privileges any college in or outside India;

Section 6, confers on the University the powers to have jurisdiction all over the country. The University operates on three tier network, the Main Campus at Delhi, Regional Centres, and Study Centres. While the function of the centre at Delhi is to design, develop and produce course material and send those to the learners for self-study and carry out functions of administrative and academic nature. The Regional Centres coordinate and supervise the functions of Study Centres. The Study Centres provide face to face teaching, counseling, audio-video facilities, library facilities and assignments.

The instructional design consists of multi-media Approach, comprising of self-instructional study material audio-video programmes, radio 7 television programmes, academic counseling
sessions, student assignments, projects, lab-practicals etc are followed in IGNOU. The enrollment profile is impressive the cumulative strength has reached to 200 thousand. The greater role is also to be played by IGNOU, through the Distance Education Council. The IGNOU, has created an impact on higher education system in India by extending access to higher education to a large number of learners offering diversity of academic programmes. The IGNOU, is also offering number of professional programmes in Management, Engineering and Computer education. The IGNOU's work has been highly impressive and it is hoped that this University will play for greater roles, for promotion of education in India, in future.
REFERENCES

2. Id - p.1.
3. The Allahabad University received more than 70% fund for State Government during 1984-85.
   The Calcutta University received 77% funds from the State Government.
   The Kashmir University for 1983-84 got 66.0% grant from the State Government and only 5.5% from UGC.
4. Section 2(J) of the Industrial Disputes Act:
   "Industry" means any business, trade, undertaking, manufacture or calling of employees and includes any calling, service employment, handicraft or industrial occupation or a vocation of workmen."
5. Section 2(8) of the Act reads as:
   "Workman", means any person (including an apprentice) employed in any industry to do any skilled or unskilled manual, supervisory, technical or clerical work for hire or reward, whether the terms of employment be expressed or implied, and for the purpose of any proceedings under this Act, in relation to the industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with or as a consequence of that dispute or whose dismissal or discharge or retrenchment had led to that dispute, but does not include any such person:
1. who is subject to Army Act (1950) or Navy Act (1934)
2. who is employed in Public Service as are officer or other employee of a person;
3. who is employed mainly as Administrative or Managerial capacity; or
4. who being employed in supervisory capacity, draws wages exceeding 500 rupees per mensum or, exercises either by the nature of duties attached to the office or by reason of power, functions mainly of Managerial nature.

11. Brahmo Samaj Education Society V. West Bengal College Employees Association 1960(i), L.L.J 472 (Cal).
12. 1960(1) L.L.J 523 (Sc).
13. AIR 1963 Sc (1857)
17. Re Insitution of Civil Engineering 19 QBD 610.
17A. AIR 1978 Md P. 115.
18.
23. Section 2(b) of Kashmir and Jammu Universities Act. (1969) reads as:
   'Affiliated' Colleges means an institution imparting instruction up to Bachelor's degree, excluding integrated Honours, Post-Graduate and Professional Degrees courses recognised by the University concerned in accordance with the provisions of Act and Statutes.
24. Chapter IV Statutes, Rule 1 to 17 provide for the Affiliated and Recognition of the Colleges.
   University of Kashmir is not maintaining any University College.
25. Section 2(d) of the Kashmir and Jammu Universities Act 1969, lays down that:
   "Constituent College" means an institution recognised as such by the Syndicate of the University concerned in accordance with the provision of the Act and the Statutes.
27. AIR 1962 Cal 420.
29. Basu's Commentary on Constitution P. also see
31. Article 13 of the Constitution of India reads as:
   Unless the context otherwise requires:
a) 'Law' includes any Ordnance, Order, by law rule, regulation, notification, custom, or usage having in the territory of India the force of law;
b) Laws in force means Laws passed by Legislature or other competent authority --- notwithstanding that any such laws or any part thereof may not be in operation either at all or in any particular areas.

32. Ashalata v. M.B. Vikram University AIR 1961 MP 299,
33. Chand Sharma v. University of Punjab AIR 1966 Punj 34,
36. Webster's Third International Dictionary.
37. Shah J however in his judgement expressed the view that Article 12 would not include education institutions and observed,

"The expression "Authority" means a body invested with power to command or give an ultimate decision or enforce obedience or having a legal right of command to be obeyed. In considering whether a statutory body is an 'authority' within the meaning of Article 12; it would be necessary to bear in mind not only whether against the authority Fundamental Rights are intended to be enforced but also whether it was intended by Constitutional Makers that authority was invested with Sovereign power to impose restrictions on fundamental freedom -- Authorities, Constitutional or Statutory not invested with Sovereign power do not fall within expression of 'State' as defined in Article 12.

These authorities which are invested with power to make rules and regulations and to administer and enforce them
to the determent of citizen fall within Article 12 and "Authorities" which do not share that Sovereign power of the State are not, "State" within the meaning of Art. 12 of the Constitution."


37a. AIR 1968 All 188 : B.D.B.College v. University of Agra 1968 A. 188.

37b. The case of Governor of Tamil Nadu and the Chief Minister over the appointment of Vice-Chancellor can be cited as an example.

38. Chief Minister, Jaya Lalita, of Tamil Nadu was cross with P.C. Alexander, the Governor of Tamil Nadu over the powers, relation and authority of Governor, viz a viz the Universities of Tamil Nadu.


40. Under Section 10(1) of the Kashmir and Jammu Universities Act 1969, the Governor shall be the Chancellor of both the Universities, and shall when present preside over the meeting of the University Council and the Convocation of both the Universities.

Under Section 10(2) The Chancellor shall have the powers as may be conferred for him by this Act or the Statutes.

41. AIR 1986 All 273.

42. AIR 1987 on 88.

43. B. V.Rao: Must Governors be the Chancellor, P. Uny.
Section 11(1) of the Kashmir & Jammu Universities Act, 1969, states:

The Chief Minister of the Jammu & Kashmir State shall be ex-officio Pro-Chancellor of both the Universities. The Pro-Chancellor when present, in the absence of the Chancellor, preside at the meetings of the University Council and the Convocation of both the Universities.

Pylee, M. V. Governance of University, Indian University System P. 145.

Prof. S. Manzoor Alam, Vice-Chancellor (1964-67) recalls that Political leadership did not lend him any support which was necessary for the Vice-Chancellor and also for the growth of the University.

Section 11(3) of Kashmir & Jammu Universities Act, 1969, reads as:

"The Pro-Chancellor shall have the right to cause inspections to be made by such person or persons as he may direct of a University, its buildings, laboratories, equipments and of any institution associated with the University and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in like manner, in respect of any matter connected with the University. The Pro-Chancellor, shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made and University concerned shall be entitled to be represented thereat."
Section 11(4) to 11(6) gives the procedure for the conduct of the same.


51. A. Avasthi: V.C's Position and Status, P. 129.


53. The Vice-Chancellorship of Prof. Rais Ahmad (1978 to 1981) in University of Kashmir, can be considered as the golden-era for the University, because he could concentrate more on the development of the University.

54. Prof. S. M. Alam, Vice-Chancellor (1984 to 1987) was faced with teachers indiscipline, agitation and students unrest.

Mathur & Arora: Vice-Chancellor Remembers (1992)

55. i. V.K.R.V. Rao, as the Vice-Chancellor of University of Delhi, had the unique, advantage of enjoying high status and great reputation in the community and this helped him in developing the University.

ii. T. K. Tope, Vice-Chancellor Bombay University from (1971 - 1977) expressed this rare bless. Not only he was flooded with spontaneous respect from the student Community, but also enjoyed unusual trust from the teaching community.

iii. Badurud-din Tyubji, of AMU Aligarh, also enjoyed respect from students and Staff, as the Vice-Chancellor.
iv. During S. Manzoor Alam’s Tenure as V.C (1984-87) had to receive vociferous pressure from then Chancellor/Chief Minister of J & K State; to handover, a University Building for the use of the office of his party.

v. Prof. Rais Ahmad as V.C of Kashmir University (1977—01) had developed a coordial relationship with Pro-Chancellor, Sheikh Mohd Abdullah and the State Government and it produced unevitable positive results for the University functioning and development.

Mathur & Arora -- V.C Rembers.

58. G.B.K.Hooja, Gurukal, K.University demonstrated dogged determination to revive the idealism of the University and instill among the students the Consciousness of the duty.

(ii) Syed Hashim Ali, V.C.A.M.U. Aligarh brought a rare contribution of tact and toughness to his assignment as V.C of the AMU, Aligarh and Osmuia University. In both Universities he took effective measures to convert a chaotic situation into one of the order and discipline. His assignment was highly productive in A.M.U. Aligarh.

(iii) Prof.Rais Ahmad, observed that substantial chunk of time as V.C of University of Kashmir was used in tackling student agitation and resolving conflicts.
This left little time for development activities, yet his tenure is considered as the golden-era for the development of the University. A unique example of converting challenge into opportunity.

(iv) Iqbal Narian as the V.C of B. H. U (1978-81) brought normalcy to the campus that was ridden with unrest and uncertainty.

60. Vice- Chancellor AMU Aligarh & Osmania University ibid P. 267.

61. i) B.D. Nagchoudry, the V.C of JNU was called by the Chancellor Mararji Desai to his office in Middle of Aug. 1978 and was told point blank that he was not wanted any more as the V.C and Choudry had to tender his resignation.

ii) J. K. Tope of V.C of Bombay, University received unflinching support and encouragement from Nawab Ali Yawar Jung as the Governor and Chancellor of Maharashtra. the tenure was pleasant and enjoyable.

iii) R.C. Mehrotra, V.C Delhi University too had tip with Chancellor Delhi University Morarji Desai, during post emergency period. The difference between V.C and Chancellor continued.

iv) Rais Ahmad, Vice Chancellor, Kashmir University forged a wonderful understanding with Chancellor, B.K.Nehru and Pro-Chancellor, Sheikh Mohd Abdullah and enjoyed his stay as V.C.

v) Prof. S. Manzoor Alam, received unflinching support from the Chancellor, Jag Mohan, as the Governor of J & K State, but faced vociferous pressure from the Pro-Chancellor, G.M. Shah.
62. Section 13 of the University of Rajasthan Act 1961
63. Section 12 of the Karnataka University Act 1976.
64. AIR 1971 Mys. 84.
65. Section 12 (2) of Kashmir & Jammu University Act is similar in nature.
67. AIR 1967 All 101 (DB).
68. Dr. Shabir Fatima v Allahabad University AIR 1966 All.45
    In this case the Court held that Chief Justice can nominate himself as the member of the Committee.
69. Srivastava, N.D v Dr Hari N. Pataskar AIR 1962 MD 221
70. AIR 1971 Mys 84
71. Ramlal P. Shah AIR 1989 Guj 61
72. When the Vice-Chancellor, H.U. Hamidi resigned from Vice-Chancellorship, no time was available to Chancellor to make arrangements under sec 12 (2) of the Act. He appointed Education Commissioner to act as the Vice-Chancellor of Kashmir University.
73. AIR 1968 Sc 299
75. Bhagat Singh v Punjabi University AIR 1981 P&H 234
76. AIR 1967 Sc 1305.
78. For example, Vice-Chancellor should not allow promotion of a failure candidate from first year to second Post-Graduate course in violation of the Statutes, under
his, emergency powers, such action will be deemed as ultra-vires.

81. AIR 1993 Del. 289.
82. AIR 1987 Sc. 57.
84. AIR 1970 Raj. 184.
90. IGNOU, has Board of Management, Planning Board, and Academic Council as its authorities.
97.
98. Verma, S.K. Academic Accountability in Higher Education AIU Pub. p.34
99. Geervarn, P Accountability in Higher Education AAIU p.53
100. Kumar R. Higher Education, Its Objective & Accountability p 60
101. Patil, V. Accountability in Higher Education AAIU p91
102. Kumar R Accountability in Higher Education AAIU p 87
103. During the Vice Chancellorship of Prof. H.U. Hamidi 1991-93, Unauthorised posts were filled by the University without having any "Sanctioned Posts" or "Budgetary Provisions."
104. The University of Kashmir at multiple occasions borrowed huge sum of money from Banks, to meet the day-to-day expenditure of the University.
105. Ravinder Kumar, Vice/Chancellor, C. Charn Singh University Meerut, states that during his term of office that he has not received any representation submitted by any teacher for improving the academic or research standard. The experience of present Vice-Chancellor, University of Kashmir, may not be different either.
17. Geervani P. Accountability in Higher Education AIU p 55
107. Statutes 4(a) of the Statutes governing Distance Education empowers the Director/Chairman for implementing the schemes and programmes of the Institute.

Section 4(b) gives power to sanction casual leave to the teachers and subordinate staff of the Institute........

Section 4(c) interalia, empowers, Director to incur expenditure within the financial procedure laid down in the Account and Financial Regulations prescribed by the University.
Section 4(d) to exercise such other powers and perform such other duties as may be delegated or assigned to him by the Vice-Chancellor.

All the aforesaid powers vested with Director/Chairman, make his position extremely weak and subordinate to the University system.

108. The Statutes governing the financial powers of the Distance Education should be amended and new rules be framed for providing total freedom to the Department.


110. Management of Distance Education MDE-1 IGNOU p. 13

111. Ram Reddy, Dr. Planning & Management of Distance Education p.241

112. IGNOU Management of Distance Education p.15

113. IGNOU Management of Distance Education (1993) p. 21.


119. Hommadiu A.H. University Administration in Developing Countries (Delhi) BB 1984 p.25

120. Mahinderdata, P.R. University Administration in India & USA Approaches, issues and implications. p 42,43

In the University of Kashmir, the problem of Planning was given up to 1996. It is in year 1996 that Vice-Chancellor took the initiative of developing a perspective plan on the scientific lines, otherwise planning in the University was at low ebb. There was no long or short term planning. All the Dean's of various Faculties were collected to formulate the plan within one day. The administrators were obsessed with day to day problem only. The net result of this was haphazard development activities.

The University of Kashmir is suffering on account of lack of information regarding planning process.

Kiranmayim, Management of Higher Education in India Ed. 1989 New Delhi p.128


Kiranmayim, Y.S. Management of Universities p.135


Stoke, Harold W : The American College President (N.Y. 1959) p.39

Kiranmayim, Y.S.: Management of Higher Education in India (Ed 1989 Crow P. New Delhi ) p 137

Id; 138.

140. In University of Kashmir, administration of education is centralized.


143. Report of the Committee on University Office Administration AP p 16-17.

144. Statutes- 19

145. Statutes- 15

146. Statutes- 17

147. Statutes- 18

148. Statutes- 26

149. Statutes- 28


151. Terry, G.R. Principles of Management (1972) p 458


153. The Kashmir University got only one Vice-Chancellor that is Late Professor Rais Ahmad who had complete comprehension of the University, its administration objectives and functions.

154. Ram Reddy, G. Planning, Management and Monitoring of Distance Education p. 247

158. The Planning & Management of Distance Education-3 IGNOU p 60.

162. The UGC Act, 1956' (as amended & modified in 1985) UGC, Delhi p.11
163. Section 13(1)
164. Section 13(2) & (3) of the UGC Act 1956.
166. Vice/Chancellor Conference 1989, Report,UGC, held at Srinagar and hosted by University of Kashmir.
170. Guidelines framed by the Committee on DEC, Aug 5,1992
171. Pathusha,KM Academic Standards in Distance Education,Can DDE Play a decisive role "communications" p 71.
172. DEC Publication Open Universities in India, p 5.
175. NPE, 1986 Govt. of India, Programme of Action. MHRD 1986 p.40
176. NPE, Govt. of India, Programme of Action MHRD 1986.
177. NPE, Programme of Action - Govt. of India 1986 b 48-49.
178. Sec 4 of IGNOU Act 1985
179. See S (1) to (XXVIII) of IGNOU, Act, 1985, gives powers and functions of the University.