

# Higher Education: The Ones That Get Away

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*The malpractices and criminal activities which have been revealed to have been going on for many years in Nagpur University have led the governor of Maharashtra, as the university's chancellor, to appoint an enquiry committee. It is very unlikely, however, that this pavlovian response will at all address the ills of our seats of higher learning, of which the shenanigans at Nagpur University are a concentrated manifestation.*

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NO one has succeeded in designing a fishing net that catches only small fish and lets the big ones slip away and no one ever will. No one, that is, except the legal and bureaucratic systems that pass for the administration in India. Only a few weeks back, a judge in Tamil Nadu absolved ministers and senior members of the administration in that state of responsibility for an alleged act of corruption in the state government they head. The honourable judge held that just because the then chief minister and the minister concerned had initialled the relevant file, this need not mean that (I) [s]he had read it, (ii) all the papers in the file were in place, (iii) [s]he had accorded consent to the action taken. The action ultimately taken was based upon notings on the file and had resulted in a huge monetary loss to the state. The persons who carried out the act are of course to be held responsible and must face prosecution, ruled the learned judge.

This line of reasoning is not all that uncommon. Nor is it confined to the judiciary alone. A few years back, two Congress MLAs in Maharashtra were charged with grave criminal offences, such as murder. They were of course promptly expelled from the party, but the party never thought it worthwhile to find out how such characters had got into the good books of its leaders, who recommended their candidature, who whetted their cases and how they came to be adopted by the party. The integrity of the leaders who sponsored such colleagues is taken as above question.

Similarly, when the gigantic stock exchange scam broke out a few years back, the dubious, near-criminal role played in it by senior officials of public sector banks and financial institutions also came out in the open. These prime suspects were all put in their strategic positions by the politicians then in power. Inquiries, even

court cases against some of them, are dragging on and may even come to a conclusion some day. Meanwhile, the political leaders and senior bureaucrats who exercised such poor judgment in the choice of personnel happily continue to serve the country untroubled by either the law or their own conscience. In today's context in India it is unthinkable that the leaders and senior bureaucrats who choose persons of doubtful antecedents for responsible positions will ever be questioned. Moreover, there is also the all-purpose alibi of 'systemic failure'. The interesting part is that despite repeated systemic failures, changing the system is never on any party's agenda. Even the parties nominally committed to revolutionising society are happy playing ball with the establishment.

The latest example of this kind comes from the field of higher education, from Nagpur University. According to reports, a whole clutch of malpractices and criminal activities have been going on in that seat of higher learning on an organised basis for many years. They have come out in the open only now, when a lowly functionary of the university was ready to offer a bribe of Rs 7 lakh to a police official to drop some charges against him. The figure at least brings out the gargantuan scale of the illegal operations sought to be hushed up. Fake degree certificates, duplicate mark-sheets (with marks revised upwards), alterations in the tabulation of results, practically anything could be accomplished in the university office for a price. There was an instance of a student who did not appear for any paper in an engineering examination of the university in the winter of 1991 and yet secured impressive marks in every paper. A public sector corporation wrote officially to the university in 1992 asking it to check the genuineness of university certificates sub-

mitted by some 12 candidates. All turned out to be bogus. The American consulate referred a degree purportedly given by the university for verification in October 1998. It was also found to be fake. But the university authorities found time to file an FIR in the matter only in March this year. These are just a few samples of the goings on in Nagpur University which have come out in the papers.

The state governor, who also doubles as the chancellor of all the universities in the state and thus is formally responsible for their actions, was sufficiently disturbed to make a special trip to Nagpur to look into the matter. The interesting part is that this trip came about this year when, as mentioned above, the public airing of the scandals in the university goes back to at least 1992. An inquiry was indeed held in 1992 and a minor functionary of the university dismissed. But no police case was made then or in the subsequent years, despite the recommendation of the university committee that said, among other things, that "what they investigated was just a tip of the iceberg and a thorough police investigation is urgently required". While at Nagpur, the chancellor accepted the resignation of the vice-chancellor of the university, who "owned moral responsibility for the wrongdoings". He also held a press conference, in which he seems to have made two major points. (i) The university cannot expect a new vice-chancellor immediately because the process of selection would easily take six months or so, and (ii) much of the mischief can be traced to the university rules for reassessment of papers. In other words, a 'systemic failure' again.

The events reported from Nagpur are by no means unique to that university. It was the turn a few months back of Mumbai University where the vice-chancellor in her wisdom increased wholesale the marks of many examinees in a medical examination. Later the chancellor directed the vice-chancellor to rescind her order. Interestingly, in this instance the vice-chancellor did not think it necessary "to own moral responsibility and resign", nor did the chancellor find it necessary to fix the moral responsibility on anyone. The university of Pune has instituted its own inquiry recently into irregularities in its examination results. The situation will be found to be not much different in other universities in Maharashtra or indeed in other states.

Because almost every university under his charge is beset with problems con-

nected with the conduct of examinations, it would be appropriate to check the response to the challenge by the chancellor's office. His actions should be measured against what he can actually do and what is being done in practice. It is sometimes believed that the chancellor of a university is only its figurehead. This is not quite the case. All non-agricultural, non-medical universities in Maharashtra are structured by a common act. This structure has one crucial feature, common to universities in other parts of the country. The state governor is invariably the chancellor of every university and he appoints the vice-chancellor from a panel submitted to him by a committee formed for the purpose, one member of which is the chancellor's nominee and another one of that state government. In other words, the chancellor is involved in the university's affairs right from the time of the appointment of the vice-chancellor. Of late it has become commonplace for the chancellor to even hold interviews of those aspiring for the job.

In addition, in Maharashtra universities at least there are 'chancellor's nominees' on various university bodies, including the all-important management council of every university. There have been rare instances of the chancellor himself presiding over a meeting of a university body. He can ask for information/explanation for any decision of the university and can reverse the same if he feels so inclined, as happened recently in case of the Mumbai University. He is thus not merely a titular head of the university. In fact, through the chancellor's nominees on the university bodies and through the vice-chancellor who is his direct appointee, the chancellor is ideally placed to oversee the working of the university and take timely corrective action. Yet, as the scandal in Nagpur University revealed, not only the chancellor of the university but his nominees on various university bodies had been blissfully unaware of or unconcerned about what had been going on right under their noses, so to say. Incidentally, since 1991 Nagpur has had at least three vice-chancellors, two of them superannuated government officials, who came into the lime-light for the alacrity with which educational institutions started by political bigwigs were regularised during their official career. It looks as if as vice-chancellors they did not show half as much speed in tackling cases of corruption.

The other step taken by the chancellor can be termed almost pavlovian. He has

appointed a committee to investigate the matter. It is of course standard practice in India in all walks of life to appoint committees. This is probably even more so in the educational field where committee raj is the norm. The chancellor's committee consists of employees of other state universities, three vice-chancellors who are chosen to their posts by the chancellor and two controllers of examinations who are chosen by the vice-chancellors. The committee has been requested to submit its report in three months.

Only the most optimistic or credulous will expect anything worthwhile to come out of the labours of such a committee and for good reasons. First of all, every member of the committee is a full-time official of another university, each of which is facing almost equally grave problems of its own. To expect them to find time to hold meetings, confer with one another, study the problem and come up with remedies that are both workable and worthwhile and all that in three months betrays total unconcern for the way universities function. It will be a miracle if the committee can meet in full strength even three times in three months. Moreover, to understand the real dimensions of the problem, it would be necessary to check the role of high officials of the university in the scandals. It would be necessary to find out what role, if any, was played by the chancellor's nominees on the university bodies and the vice-chancellors themselves; whether it was a case of the dog that would not bark.

The committee also needs to investigate the way vice-chancellors are chosen and the possible acts of omission and commission of the chancellor's office, whether these were procedural or specific and whether better ways cannot be devised. For openness in the administration, it would also be appropriate for the chancellor's office to explain the rationale behind the selection of an individual to a high position, particularly when the person is seen as being overly obliging to the political bosses. It is not realistic to expect that a committee consisting of persons who owe their positions to the chancellor will be ready to delve into such questions even if they have the time.

With one university official having taken his own life, a few others in custody, both the vice-chancellor and the pro-vice-chancellor having resigned and the university involved in criminal cases, it should be clear to anybody that Nagpur University is facing as grave a crisis as any

university is ever likely to face. In the face of this, to say that it is not possible to get a new vice-chancellor for another six months borders on callousness. Doesn't the chancellor feel that there is something drastically wrong with a system which does not allow you to choose a replacement even when faced with an emergency?

There is much that is drastically wrong with the examination system of the universities. The UGC had started with much fanfare, about 20 years back, a campaign for examination reforms. From all accounts, it has by now come to a naught, after spending millions of rupees. The chancellor and his committee might spend some time and check what went wrong with the project. They might also usefully investigate the role of the new educational shops that have sprung up all over Maharashtra and in the areas of all the universities and their role, not only in corrupting the exam system but, even more insidiously, in trivialising the course contents of various degrees. They might also wish to find out why almost all of these institutions are vehemently opposed to displaying their own names on the degree certificates and marks certificates of the student. Surely the chancellor has enough authority under the act to compel the university to display the name of the institution where a particular student studied and was examined. In most cases, the university is only an examining body and the public has a right to know where a student was trained.

Many more such relevant questions can be raised but they cannot be studied in depth, nor can remedies be suggested, in three months. A committee as has been formed by the chancellor holds out no hope that it will come out with anything of substance. Maybe not much is expected of it. By and large, it is true that one should not get bogged down with the *dramatis personae* of the moment while considering long-term reforms. But it is equally true that even a faulty system can be made to work up to some acceptable level with the right personnel. On the other hand, even the best-designed system can be run aground in a brief period of time by a wrong set of people. After all, the present act under which universities in Maharashtra function is only four or five years old. Judging by what has been reported, it looks as if it has been a total flop in solving the problems that face universities. The present ills of higher education in Maharashtra, in fact in all of India, are

certainly to some extent due to systemic faults. But more urgently and ominously, they are also the result of a whole lot of ill-suited persons holding positions of authority in the system.

There is no hope that either the chancellor or the committee appointed by him is ready to tackle any of the serious maladies that affect the working of universities,

least of all the role of the authorities such as the chancellor in creating or aggravating them. The committee's labours will be along well-trodden, predictable lines. It will find fault with some procedural lapses, as the chancellor has already done, hold some minor functionaries guilty, without even raising the questions discussed above.