

AKPCTA

BULLETIN

9

FOREWORD □ REPORT OF THE EDUCATION COMMISSION □
MEMORANDUM □ PAY COMMISSION REPORT □ FIXATION
RULES □ GOVT. ORDERS.

JANUARY 1979

MONTHLY JOURNAL OF THE ALL KERALA PRIVATE COLLEGE TEACHERS' ASSOCIATION

AKPETA BULLETIN

[For Private circulation only]

Chief Editor:
P. NARENDRAN

Editorial Board

PROF: R. R. C. NAIR
PROF: G. MADHAVAN NAIR
GEORGE ONAKKUR

V. NARAYANAN KUTTY
PROF: N. J. JACOB
PROF: T. GOPALAKRISHNAN

Read and Subscribe

SUBSCRIPTION RATES
ANNUAL (10 Issues) Rs. 6/-

കുറിപ്പുകൾ

ശമ്പളക്കമ്മീഷൻ റിപ്പോർട്ട് തള്ളിക്കളയുക.

യു. ജി. സി. സ്കെയിലുകൾ അനുവദിക്കുക എന്ന ആവശ്യം കേരളത്തിലെ സർവ്വകലാശാല/കോളജ് അദ്ധ്യാപകർ ദീർഘകാലമായി ഉന്നയിച്ചുകൊണ്ടിരുന്ന ഒരു കാര്യമാണ്. ഇതേച്ചൊല്ലി നടന്നിട്ടുള്ള എല്ലാ സമരങ്ങളേയും കേരളസർക്കാർ തികച്ചും ഒന്നാധിപത്യരഹിതമായി-സർക്കാരിന്റെ മുഴുവൻ മർദ്ദനോപാധികളും ഉപയോഗിച്ച്-അടിച്ചമർത്തുകയാണുണ്ടായത്. സമരം പിൻവലിക്കാൻ അദ്ധ്യാപകർ നിർബന്ധിതരാക്കിയെങ്കിലും അവകാശം കൈവെടിയാൻ അവർ തയ്യാറായില്ല. യു. ജി. സി. സ്കെയിലുകൾ നേടിയെടുക്കുന്നതിന്റെ ഭാഗമായി തന്നെയാണ്-തൊട്ടടുത്ത സംസ്ഥാനങ്ങളായ കർണാടകത്തിലും, തമിഴ്നാട്ടിലും അംഗീകരിച്ച ശമ്പള സ്കെയിലുകളുടെ അടിസ്ഥാനത്തിൽ-700-1900 എന്ന റെറ സ്കെയിൽ കേരളത്തിലെ കോളജ് അദ്ധ്യാപകർക്ക് അനുവദിക്കണമെന്ന് അദ്ധ്യാപക സംയുക്ത സമര സമിതി ആവശ്യപ്പെട്ടത്.

യു. ജി. സി. സ്കെയിലുകളോട് കേരള സർക്കാരിന്റെ സമീപനം തികച്ചും നിഷേധാത്മകമാണ്. അദ്ധ്യാപകരുടെ സംഘടിത സമരത്തിന്റെ ഫലമായി ചർച്ചകൾക്ക് തയ്യാറാകാൻ കേരളസർക്കാർ നിർബന്ധിതമായിട്ടുണ്ട്. പ്രസ്തുത സന്ദർഭങ്ങളിലെല്ലാം ഒരു തുറന്ന മനസോടെയാണ് ഈ പ്രശ്നത്തെ സമീപിക്കുന്നതെന്നാണ് സർക്കാർ ഭാഗത്തുനിന്നും പറയാറുണ്ടായിരുന്നത്. പക്ഷേ ചർച്ചകൾക്കുശേഷം സർക്കാരിന്റെ നിലപാട് പഴയപടിതന്നെയായിരിക്കുകയും ചെയ്തു. അദ്ധ്യാപകാവകാശ നിഷേധം-ഇതിനെ ന്യായീകരിക്കാനായി, കുറച്ചുകാലംമുമ്പ് നിയമിക്കപ്പെട്ട ഡി.നന്ദൻ നായർ കമ്മീഷൻ റിപ്പോർട്ടിൽ ഉന്നയിച്ച ശമ്പള ഘടനയിൽ തകരാറുണ്ടാവുമെന്ന മുടന്തൻ ന്യായം മുറയ്ക്കു മുറയ്ക്ക എഴുന്നള്ളിക്കുക മാത്രമാണ് സർക്കാർ ചെയ്തിട്ടുള്ളത്.

കേരള സർക്കാരിന് സ്വന്തമായ ഒരു നയമില്ലെന്നാണ് ഇത് സൂചിപ്പിക്കുന്നത്. സർക്കാരിനെ നിയന്ത്രിക്കുന്നത് ഇവിടുത്തെ ഐ. എ. എസ്. വൃന്ദമാണ് ചന്ദ്രഭാനു കമ്മീഷൻ റിപ്പോർട്ട് പരിശോധിക്കുന്ന ഏതൊരാൾക്കും ഇക്കാര്യം വ്യക്തമാകും. അദ്ധ്യാപകർ മുതൽ മുക്തിലോട്ടുള്ള എല്ലാ വിഭാഗങ്ങൾക്കും-ചുരുക്കത്തിൽ അദ്ധ്യാപകരുടെ ഭാഗമായ എല്ലാ വിഭാഗത്തിനും-ഗണ്യമായ വർദ്ധനവ് ശുപാർശ ചെയ്യേണ്ടതുണ്ട്.

ചെയ്തിരിക്കുന്ന കമ്മീഷൻ യാതൊരു ന്യായീകരണവും പറയാതെ അദ്യോപകരുടെ ആവശ്യം തള്ളിക്കളഞ്ഞിരിക്കുന്നു. യു. ജി. സി. സ്കെയിലുകൾ ഗ്രാൻറ്സ് കമ്മീഷൻ പ്രഖ്യാപിച്ചപ്പോൾ മുതൽ തുടങ്ങിയതാണ് ഐ. എ. എസ്. വൃന്ദത്തിന്റെ എതിർപ്പും.

ചന്ദ്രഭാനുക്കമ്മീഷൻ റിപ്പോർട്ട് കേരളത്തിലെ സർക്കാർജീവനക്കാരിലും, അദ്യോപകരിലും വമ്പിച്ച പ്രതീക്ഷകളാണുണർത്തിവിട്ടത്. റിപ്പോർട്ടിന്റെ പ്രസിദ്ധീകരണം പ്രതിഷേധ കൊടുങ്കാറ്റിനാണ് രൂപം നൽകിയിരിക്കുന്നതും.

കേരളത്തിലെ മുഴുവൻ ജീവനക്കാരും ഇന്നു സംതൃപ്തരാണ്. പല വിഭാഗങ്ങൾക്കും ശമ്പള പരിഷ്കാരമൂലം തങ്ങൾക്ക് നേരത്തെ ലഭിച്ചുകൊണ്ടിരുന്ന പല ആനുകൂല്യങ്ങളും നിഷേധിക്കപ്പെട്ടിരിക്കുന്നു. ഫിസിക്കൽ എഡ്യൂക്കേഷൻ ലക്ചറർമാരെ സംബന്ധിച്ചിടത്തോളം ഒരു ചിറ്റമ്മനയമാണ് കമ്മീഷൻ സ്വീകരിച്ചിരിക്കുന്നത്.

ആളിക്കത്തുന്ന അസംതൃപ്തി സംസ്ഥാന വ്യാപകമായ ഒരു സമരമായി രൂപപ്പെട്ടുതുടങ്ങിയിരിക്കുന്നു. കേരളത്തിലെ സർവ്വകലാശാല / കോളേജ് അദ്യോപകര സംബന്ധിച്ചിടത്തോളം ഈ സമരത്തിൽനിന്നും വേറിട്ടുനിൽക്കുന്നത് ആത്മഹത്യാപരമായിരിക്കും. അദ്യോപകസമൂഹത്തിനാകെ അപമാനമായി നിലകൊള്ളുന്ന കരിനിയർ റദ്ദാക്കുന്നതിനും, തങ്ങളുടെ ചിരകാലാഭിലാഷമായ യു. ജി. സി. സ്കെയിലുകൾ അംഗീകരിപ്പിക്കുന്നതിനും ഈ സംയുക്ത സമരത്തിൽ പങ്കാളികളായേ മതിയാകൂ.



[എറണാകുളം സെൻറ് ജോസഫ് ട്രെയിനിംഗ് കോളജ് പ്രിൻസിപ്പലായിരുന്ന ശ്രീമതി ലില്ലി കുര്യനെ പിരിച്ചുവിട്ടതിനെതിരായിക്കൊടുത്ത കേസിൽ ബഹു: സുപ്രീംകോടതി ന്യൂനപക്ഷാവകാശം ഉറപ്പുവരുത്തുന്ന ഭരണഘടനയിലെ 30(1) ഖണ്ഡികയെ പുരസ്കരിച്ച് പുറപ്പെടുവിച്ച ദുരവ്യാപകമായ ഫലങ്ങളുള്ള വാക്കുന്ന വിധിയുടെ പ്രസക്തഭാഗങ്ങൾ തിരഞ്ഞെടുക്കുന്നു. അഖ്യാപകരുടെ സേവനമുദ്രതയ്ക്ക് ഒരു ഭീഷണിയായി തീർന്നിട്ടുള്ള പ്രസ്തുത വിധിനൂതത്തിനെതിരെ അതേ കോടതിയിൽതന്നെ കൊടുത്തിട്ടുള്ള റിവ്യൂ കേസിൽ കമ്മീ ചേരാൻ എ. കെ. പി. സി. ടി. എ. തീരുമാനിച്ചിട്ടുണ്ട്.]

Supreme Court of India

Chandrachud C. J., Sarkaria, Untwalia, Koshal & Sen JJ.

LILY KURIEN v. SR LEWINA & OTHERS

Kerala University Act. 1957, S. 19(j)—Ordinance 33(4), Chapter LVII—

Right of appeal conferred by the Ordinance if forms part of the 'conditions of service'—Scope and ambit of the expression—Service.

The expression "conditions of service" covers a wide range. This expression includes everything from the stage of appointment to the stage of termination of service and even beyond, and relates to matters pertaining to disciplinary action. Thus it includes the power to take disciplinary action. Therefore the right of appeal conferred by Ordinance 33(4) forms part of the "conditions of service" and is valid on that ground.

Constitution of India, Art. 30(1) — Scope and ambit of.

Unlike Art. 19(1) the fundamental freedom under Art. 30(1) is absolute in terms; it is not made subject to any reasonable restrictions of the nature the fundamental freedoms enunciated in Article 19 may be subjected to. All minorities, linguistic or religious, have by Art. 30(1) an absolute right to establish and administer educational institutions of their choice; and any law or executive direction which seeks to infringe the substance of that right under Art. 30(1) would to that extent be void. Protection of the minorities is an article of faith in the Constitution of India. The right to the administration of institutions of minority's choice enshrined in Article 30(1) means 'management of the affairs' of the institution. This right is, however, subject to the regulatory power of the State. Art. 30(1) is not a charter for maladministration; regulation, so that the right to administer may be better exercised for the benefit of the institution is

permissible; but the moment one goes beyond that and imposes, what is in truth, not a mere regulation but an impairment of the right to administer, the Article comes into play and the interference cannot be justified by pleading the interest of the general public; the interest justifying interference can only be the interests of the minority concerned.

Kerala University Act, 1957, S. 19(j)—Ordinance 33(4) of Chapter LVII—Minority educational institution—Conferment of right of appeal to a teacher to the Vice-Chancellor if violative of Art. 30(1) of the Constitution.

The conferral of a right of appeal to an outside authority like the Vice-Chancellor under Ordinance 33(4) takes away the disciplinary power of a minority educational authority. The Vice-Chancellor has the power to veto its disciplinary control. There is a clear interference with the disciplinary power of the minority institution. The State may 'regulate' the exercise of the right of administration but it has no power to impose any 'restriction' which is destructive of the right itself. The conferral of such wide powers on the Vice-Chancellor amounts in reality, to fetter on the right of administration under Art. 30(1). This, it seems to us, would so affect the disciplinary control of a minority educational institution as to be subversive of its constitutional rights and can hardly be regarded as a 'regulation' or a 'restriction' in the interest of the institution. Such a blanket power directly interferes with the disciplinary control of the managing body of a minority educational institution. The power of appeal conferred on the Vice-Chancellor under Ordinance 33(4) is not only a grave encroachment on the institution's right to enforce and ensure discipline in its administrative affairs but it is uncanalised and unguided in the sense that no restrictions are placed on the exercise of the power. The extent of the appellate power of the Vice-Chancellor is not defined; and, indeed, his powers are unlimited. The grounds on which the Vice-Chancellor can interfere in such appeals are also not defined. He may not only set aside an order of dismissal of a teacher and order his reinstatement, but may also interfere with any of the punishments enumerated in items (ii) to (v) of Ordinance 33(2), that is to say, he can even interfere against the infliction of minor punishments. In the absence of any guidelines, it cannot be held that the power of the Vice-Chancellor under Ordinance 33(4) was merely a check on maladministration. It follows that the impugned Ordinance 33(4) of the University of Kerala is violative of Art. 30(1)

See Page 11

[എ. കെ. പി. സി. ടി. നിരന്തരമായി നടത്തിവന്നിരുന്ന പ്രശ്നങ്ങളുടെ ഫലമായി, നമ്മുടെ പെൻഷൻ, പ്രോവിഡൻറ് ഫണ്ട് കാര്യങ്ങളിൽ നിലനിൽക്കുന്ന പ്രശ്നങ്ങൾക്ക് പരിഹാരം കാണുന്നതിലേക്ക് 17-2-78ൽ വിദ്യാഭ്യാസവകുപ്പ് സ്പെഷ്യൽ സെക്രട്ടറി ഒരു കോൺഫറൻസ് വിളിച്ചുകൂട്ടുകയുണ്ടായി. അതേ തുടർന്ന് കേരള സർക്കാർ പുറപ്പെടുവിച്ചിട്ടുള്ള ഉത്തരവുകളിൽ കടന്നുകൂടിയിട്ടുള്ള അവകടങ്ങളും, അപ്രായോഗികതകളും സാങ്കേതിക ബുദ്ധിമുട്ടുകളും ചൂണ്ടിക്കാണിച്ചുകൊണ്ടും അവ ഉടൻതന്നെ പരിഹരിക്കണമെന്നഭ്യർത്ഥിച്ചുകൊണ്ടുമുള്ള അസോസിയേഷൻ പ്രസിഡൻറ് പ്രൊഫ: ആർ. രാമചന്ദ്രൻനായർ സർക്കാരിന് സമർപ്പിച്ച മെമ്മോറാണ്ടമാണ് ചുവടെ ചേർന്നത്. ഇതു സംബന്ധിച്ചുള്ള സർക്കാർ ഉത്തരവുകൾ അന്യത്ര ചേർത്തിട്ടുണ്ട്.]

THE ALL-KERALA PRIVATE COLLEGE TEACHERS' ASSOCIATION

PROF: R. R. C. NAIR
PRESIDENT

N. S. S. COLLEGE, OTTAPALAM-3
21st OCTOBER 1978

Dr. V. Venkitanarayanan
Special Secretary to Government (Education)
Government of Kerala
Trivandrum.

- Sub:- Demands of A. K. P. C. T. A. - discussion at the Conference held on 17-2-1978 - follow up Action - Regarding-
- Ref:- 1) Letter No. 32666 / J1 / 78 / H. Edn. dated 20-9-1978.
2) Letter No. 12239 / J1 / 78 / H. Edn. dated 5-10-1978.
3) Letter No. 48219 / J1 / 77 / H. Edn. dated 5-10-1978.

Dear Sir,
You will kindly bear with me for taking the liberty of addressing this letter personally to you. This I do with a view to bringing to the focus of your attention certain matters of utmost importance.
At the very outset, may I point out a glaring oversight on the part of your office in making reference in your letter cited (1) above, to "the matters discussed with the Private College Teachers' Associations on 17-2-'78", whereas the discussion under reference was actually held with the All Kerala Private College Teachers' Association alone. You also know that the conference was

the result of repeated representations and appeals by the A. K. P. C. T. A. to the Honourable Minister for Education and to you. That you should take more than seven months to respond to the demands regarding some crucial issues concerning the Private College Teachers (the conference was held on 17th February '78 and your first letter on follow-up action is dated 20-9-'78) has pained us beyond words. Still more painful it is to note that most of the follow-up actions that you have outlined in your letters are of an uncertain, negative or disappointing nature. The hopes that you had given us at the conference, of immediate remedial measures are all sadly belied.

With regard to the points referred to in your letters quoted above, I would like to submit the following:

1. The term 'Service' in Statute 4, Chapter I of P. F., Pension Statutes creates a lot of difficulties for the teachers concerned. I request that, instead of waiting for the Judgements on the remaining cases in the High Court, the term may be construed to mean at least any service counted for pension under the Statute and also entry into service on or before 1-4-1958 and not necessarily continuous service from 1-4-1958.

2. Right to re-opt for retirement at the age of 55 to those who have already opted for retirement at the age of 60.

I understand that the senate of the Kerala, Calicut Universities have passed necessary amendments to the concerned Statutes, permitting the above right and those amendments have been duly forwarded to the Government for concurrence as required in the Acts. Since the Government have been kind enough to take a favourable decision on the matter, I request you to accord necessary concurrence to the concerned amendments to the Statutes without further delay, instead of addressing the Universities to take necessary steps in the matter.

3. Government contribution to the C. P. F.

It is only just that the Government contribute exactly one half of the total contribution of the teacher to the Provident Fund, so that it is worth the name contributory Provident Fund. The statutes, as they are, provide for contribution by the Government as 50 percent of the contribution of the teacher but at the same time restrict such contribution to one half of the teacher's contribution

made after he has joined the new C. P. F. It is really cruel that a benefit gracefully granted by the Government to a vanishing category of teachers who came into service on or before 1-4-58, is turned into a teasing illusion, with such a restriction imposed on it. May I request you to view this case very sympathetically and take steps to amend the concerned Statutes so as to make the Government contribution equal to exactly one half of the total contribution of the teachers standing to the credit of their P. F. accounts. As for the orders regarding rate of interest that are said to have been issued on 20-9-78 in your letter cited (1) we are absolutely in the dark. Please instruct your office to furnish a copy of the order to us.

4. Another very important matter which you have not touched upon in your letters under reference is with regard to the contribution of the teacher to the new C. P. F. from 1-4-1976 to the date on which the certificate to open the new account was issued by the concerned Dy: Director of Collegiate Education. In almost all cases though the new C. P. F. has come into force from 1-4-76, the requisite certificate to open the account has been issued only on a later date, in some cases the gap running upto 10 months. The office of the Director of Collegiate Education has taken the stand that the contribution of the teacher during the above period be refunded to the teacher. This, in effect, denies the benefit of Provident Fund to the teacher for this period which, I am sure, would not have been the intention of the Government. This lacuna has arisen not of a technical defect in the Statute. We, at the conference convened by you, had suggested that this defect could be rectified by giving an explanation to the concerned Statute, to the effect that whatever be the date on which the certificate was issued by the Dy: Director of Collegiate Education, it should be deemed to have retrospective effect from 1-4-76, the date on which the new Statutes have come into force. I request you to take prompt steps to get such an explanation added to the concerned Statute.

5. Your letters under reference are silent on two very important issues raised by us at the conference. They are granting of family pension and gratuity to teachers who are retiring at the age of 60. Family pension is a social security measure to be enjoyed not by a retired teacher, but by the family of a teacher after his death. It is really distressing that the Government's attempt is to tag this benefit granted to a deceased teacher's family on to his age of retirement.

This benefit should be granted to the family of all teachers orphaned by the death of its breadwinner who is a teacher irrespective of the age opted by him for retirement. Gratuity, as you know, is a gratifications payment made to an incumbent on his retirement for the services rendered by him. There is no rhyme or reason in discriminating between teachers retiring of the age of 55 and those that retire at 60 in respect of family pension and gratuity. I request you to take a humane approach in these matters and initiate early steps to grant these benefits to teachers who retire at 60 also.

6. Loan facilities from the P. F. to subscribers in the case of colleges which have invested in long-term securities.

This has reference to your letter cited (3) above. Our main demand in this connection has been to provide for loan facilities to the teachers at the earliest. The letter under reference does not throw any light on this point. May I hope that you will take early steps to ensure loan facilities to teachers who are at present denied of this benefit on some technical grounds.

7. Permitting teachers to contribute more than 6 Paise per rupee to G. P. F.

As you know, this request has been made with a view to lessening the burden of income tax on teachers retiring at 60 and also to encourage them to save. This benefit has already been granted to teachers who are to retire at 55. Your apprehensions regarding confusion in calculating the matching contribution from the Government at the time of closure of the fund, are a matter more of fiction than of fact. All the relevant records relating to the monthly pay drawn by any teacher are either maintained at the Dy: Directors (Collegiate Educations) office or obtainable from the Colleges concerned, wherever required. It is really unfortunate that the Government do not take a just decision on a matter like this which involves financial commitment of not even single paise on the part of the Govt. In this, as in the other cases, a sympathetic understanding shown from Government side can go a long way towards easing matters. The A. K. P. C. T. A. has been ceaselessly calling for such an attitude from the Government.

8. Statutes on service conditions.

It is noted with not a little sadness that the Government have not yet issued the First Statutes on the service conditions of Private College Teachers under the Kerala-Calicut University Acts 1974, even after the lapse of four years. You can

of the Constitution. If the conferral of such power on an outside authority like the Vice-Chancellor, which while maintaining the formal character of a minority held justifiable because it is in the public and national interest, though not in its interest as an educational institution, the right guaranteed by Art. 30(1) will be to use the well-known expression, a 'teasing illusion', a promise of unreality. Therefore Ordinance 33(4) Chapter LVII of the Ordinances framed by the Syndicate of the University under S. 19(j) of the Kerala University Act. 1957, would not be applicable to an educational institution established and managed by a religious or linguistic minority.

1957-ലെ കേരള സർവ്വകലാശാലാ നിയമത്തിന്റെ അടിസ്ഥാനത്തിൽ രൂപീകരിച്ച മാർഡിനൻസിലാൺ വൈസ് ചാൻസലർക്ക് അച്ചടക്കനടപടികളെ തുടർന്നു കേസുകളിൽ അപ്പീൽ അധികാരം നൽകിയിരുന്നതു്. ഉന്നം നിലവിലുള്ള നിയമത്തിൽ അതു് ട്രൈബ്യൂണലിനാണു്. വിധിയിൽ അന്തർലീനമായിരിക്കുന്ന പൊതു തത്വങ്ങൾ 1974-ലെ കേരള / കാലിക്കട്ടു് സർവ്വകലാശാലാ നിയമങ്ങൾക്കു് ബാധകമാണു്. ന്യൂനപക്ഷാവകാശങ്ങളുടെ പേരിൽ മാനേജ്മെന്റുകൾക്കു് അനിയന്ത്രിതമായ അധികാരമുണ്ടെന്നാണു് സുപ്രീംകോടതി വിധി വ്യക്തമാക്കുന്നതു്.

very well imagine the pitiable plight of over 6000 private college teachers in Kerala who are denied Statutory Service Protection and Justiciable Service Conditions because of the failure of the Government to issue the First Statutes as decreed in the University Acts. Our earnest request is 'please do not delay it any further'.

It is my sincere belief that you will apply your keenest attention to these burning problems of the Private College Teachers and come to concrete decisions that would resolve this undue spell of agonising suspense.

Yours sincerely,
(R. R. C. NAIR)
President
A. K. P. C. T. A.

HIGHER EDUCATION: OBJECTIVES AND IMPROVEMENT

11.01 Pandit Jawaharlal Nehru, in his convocation address to the University of Allahabad in 1947, thus summed up the basic objectives of the university and its role in national life: 'A university stands for humanism, for tolerance, for reason, for the adventure of ideas and for the search of truth. It stands for the onward march of the human race towards even higher objectives. If the universities discharge their duties adequately, then it is well with the nation and the people.' These great words highlight the basic truth that universities have a crucial part to play in the life, welfare and strength of a nation. The universities can, however, fill this role only if they owe uncompromising loyalty to certain fundamental values of life. They are essentially a community of teachers and students where, in some way, all learn from one another or, at any rate, strive to do so. Their principal object is to deepen man's understanding of the universe and of himself—in body, mind and spirit, to disseminate this understanding throughout society and to apply it in the service of mankind. They are the dwelling places of ideas and idealism, and expect high standards of conduct and integrity from all their members. Theirs is the pursuit of truth and excellence in all its diversity—a pursuit which needs, above all, courage and fearlessness. Great universities and timid people go ill together.

11.02 While the fundamental values to which the universities owe their allegiance are largely unrelated to time or circumstance, their functions change from time to time. In the rapidly changing contemporary world, universities are undergoing profound changes in their scope, functions and organization and are in a process of rapid evolution. Their tasks are no longer confined to the two traditional functions of teaching and advancement of knowledge. They are assuming new functions and the older ones are increasing in range, depth and complexity. In broad terms, the functions of the universities in the modern world may be said to be:

- to seek and cultivate new knowledge, to engage vigorously and fearlessly in the pursuit of truth, and to interpret old knowledge and beliefs in the light of new needs and discoveries;
- to provide the right kind of leadership in all walks of life, to identify

- gifted youth and help them develop their potential to the full by cultivating physical fitness, developing the powers of the mind and cultivating right interests, attitudes and moral and intellectual values;
- to provide society with competent men and women trained in agriculture, arts, medicine, science and technology and various other professions, who will also be cultivated individuals, imbued with a sense of social purpose;
 - to strive to promote equality and social justice and to reduce social and cultural differences through diffusion of education; and
 - to foster in the teachers and students, and through them in society generally, the attitudes and values needed for developing the 'good life' in individuals and society.

UNIVERSITIES IN INDIA

11.03 Historical Development. The ancient universities in India were leading centres of learning in the contemporary world and attracted scholars and students from other countries. So did some famous centres of Islamic learning in the mediæval period. But unfortunately these traditions did not survive and the modern universities were established, more than a hundred years ago, as exotic institutions created in imitation of the London University as it then was. The earliest of these were the Universities of Bombay, Calcutta and Madras—all founded in 1857—and the University of Allahabad, founded in 1887. They all began as purely examining bodies and continued to be so till the opening of the present century when the Indian Universities Commission was appointed (1902) and the Indian Universities Act was passed (1904). As Lord Curzon observed: 'How different is India! Here the university has no corporate existence in the same (i.e., as in Oxford or Cambridge) sense of the term; it is not a collection of buildings, it is scarcely even a site. It is a body that controls courses of study and sets examination papers to the pupils of affiliated colleges. They are not part of it. They are frequently not in the same city, sometimes not in the same province.' The Government Resolution on Educational Policy (1913) accepted the need for establishing more universities. It said: 'The day is probably far distant when India will be able to dispense altogether with the affiliating

universities. But it is necessary to restrict the area over which the affiliating universities have control by securing, in the first instance, a separate university for each of the leading provinces in India and secondly to create new local teaching and residential universities within each of the provinces in harmony with the best modern opinion as to the right road to educational efficiency.' As a result of this policy, six new universities came into existence between 1913 and 1921. A teaching, unitary and largely residential university was established at Lucknow (1920). Recognition was also given to the efforts made by eminent Indians to break new ground in creating teaching universities. For instance, the Benaras Hindu University, founded by Pandit Madan Mohan Malaviya, was incorporated in 1916 and the Aligarh Muslim University, founded by Sir Syed Ahmed Khan, was incorporated in 1920. In the meanwhile, two princely States also established universities for their areas, Mysore in 1916 and Osmania in 1918, the latter making history by the adoption of Urdu as the medium of education. After 1921, when education was transferred to Indian control, the development of universities was much faster and during the next 26 years, nine more universities were established. After the attainment of independence, there has been a much more rapid expansion in the field of higher education. The number of universities has increased from 19 to 64. In addition, nine institutions have been 'deemed to be universities' under Section 3 of the UGC Act. But even this expansion has not fulfilled the needs of the situation.

11.04 Special Responsibilities. The general objectives of university education given earlier apply equally to Indian universities. They have, in addition, some special responsibilities in the present state of our social and educational development. First and foremost, they must learn to strive to serve as the 'conscience of the nation', as assessors of the national way of life, and this responsibility becomes all the greater in the absence of an enlightened public opinion. There are so many new pulls and forces (as well as old ones) operating in our national life—as, indeed, in the life of man as a whole—that its balance has become very precarious; and there is a danger of losing our bearings unless universities are able to play this role adequately by involving themselves deeply in the study and evaluation of the social process. Such involvement is vital since the universities are pre-eminently the forum for a critical assessment of society—

sympathetic, objective, unafraid—whose partiality and motives cannot be suspected. So far, the Indian universities have not performed this function adequately. This may be due either to apathy or failure to recognize the importance of this role or to the traditional belief that scholarship and academic excellence thrive only in isolation from the clamour of the multitude. In some cases, an apprehension of the displeasure of the authorities or influential vested interests, which may not take kindly to their opinions and criticisms, may also have worked as a deterrent. To discharge this function properly, the university teachers should cultivate not only intellectual integrity, courage and scientific knowledge but also win public confidence. Unless they have the high ambition to make an impact on the quality of social thinking and endeavour, they will not be able to help in moulding a new society which will not merely cherish high values but actually provide opportunities for living by them. For this purpose, it is necessary, as a first step, to develop the universities themselves into communities where such values are prized and practised.

11.05 From this point of view, the universities must learn to encourage individuality, variety and dissent, within a climate of tolerance. Dissent there is, even now, but usually of a superficial or sensational kind of which many manifestations can be seen in India and abroad. The general tendency, however, is to produce the 'organization man' who is afraid to challenge the accepted pattern of social behaviour and social institutions at the intellectual level and who is too often anxious to worm himself into the good graces of the people who count so that he may be able to 'get on' in life. A university should have no truck with this type of mind. Its business is not primarily to give society what it wants but what it needs and obviously they are not always identical. It is not a 'community service station', passively responding to popular demands and thereby endangering its intellectual integrity. Nor is it an ivory tower into which students and teachers can withdraw for a time for teaching or research, accepting no responsibility for the improvement of society. It has to maintain an ambivalent position, balancing itself carefully between commitment and detachment—commitment in action, detachment in thought. It must always be in a constant state of creative tension knowing where to interpret, where to criticise, where to pioneer and where to support traditional values. It can neither identify itself with the existing environment and institutions, nor yield uncritically to every kind of change, every passing pressure. This would be to surrender its basic

integrity of outlook and judgment. It must ever stand ready to assimilate the new that is healthy and to eschew the old that is diseased. Such an attitude is challenging and can be unpleasant, for it needs courage to reject unduly complacent images of one's individual or national life and overcome the many emotional blocks in the mind. The university can play this role adequately if it has faith in the power of the mind and helps others to share this faith. It must encourage, not only in its students but also in the general public, so far as possible, free and disinterested thinking which can challenge vested interests and established ways. This is the only way which holds out some hope that man will be able to live wisely and intelligently.

11.06 Another special responsibility of the Indian universities is to develop programmes of adult education in a big way and, to that end, evolve a wide spread network of part-time and correspondence courses. The universities have to provide these courses in all their faculties, not only as extra-mural preparation for their examinations, but also as programmes of in-service education of professional workers in all walks of life. General adult education programmes are also needed to create a unity of outlook and faith between the masses and the intelligentsia. An extension programme would include provision for training the intermediate leadership groups which, in the circumstances of today, may not be in a position to enter the university but on whose understanding of, and identification with, national problems, the future of the country largely depends. Above all, it will require that universities function as agencies for a deep and careful study of local, regional and national problems, to which Government, public and private organizations and industry, may turn for advice and guidance.

11.07 Yet another responsibility of the Indian universities in the present context is to strive to assist the schools in their attempts at qualitative self-improvement. For this purpose, universities should conduct experimental schools, run advanced courses for teachers in various school subjects, assume greater responsibility for the training of teachers at all levels, organize summer institutes for their in-service education, assist in the search for and development of talent, and develop new curricula, textbooks and teaching materials. These programmes of extension and school improvement have been discussed in detail elsewhere.

11.08 Perhaps the most onerous responsibility which the Indian universities now have is to shake off the heavy load of their early tradition which gives

a dominant place to examinations, to improve standards all-round and by a symbiotic development of teaching and research, to create at least a few centres which would be comparable to those of their type in any other part of the world. This alone would help to bring back the 'centre of gravity' of Indian academic life within the country itself. We can do no better than to quote Sir Eric Ashby on this subject:

Looking at Indian Universities a century after their foundation, one cannot but help feel that they have failed to adapt themselves sufficiently to the vast and unique opportunities which surround them; they seem to have lost enthusiasm and initiative under the crushing problems which have beset them. Despite three major commissions, they have not been able to extricate themselves from their own brief history. With a few notable exceptions they remain examining bodies and their students naturally regard success in examinations as the sole end of an undergraduate career. As universities multiply in number, their academic standards—relative to those elsewhere—do not improve. And something even more serious than this happens: the universities remain alien implantations, not integrated into the New India as the writers of the Radhakrishnan Report (in its brilliant second chapter) hoped they might be. This is one reason why, to the observer from outside, the Indian intellectual remains a culturally displaced person, nostalgically treasuring his threads of communication with England. Notwithstanding the fact that the leadership of modern India is in the hands of statesmen more intellectual than perhaps are to be found in any other nation, there is in India (as Edward Shils recently wrote) 'no intellectual community'. This is due in part to the lack of a hierarchy of cultural institutions in the country: and this in turn is related to the fact that the universities have responded too weakly to the challenge of Asiatic culture.

This failure of the university to meet the challenge of Indian society has many complex causes, but among the causes are undoubtedly the decisions made between 1835 and 1854. To exclude from university studies for half a century the whole of oriental learning and religion and to purvey to Hindus and Moslems a history and philosophy whose roots lie exclusively in the Mediterranean and in Christianity; to communicate the examinable skeleton of European civilization without ensuring that the values and standards which give flesh to these bones are communicated too; to set up the external paraphernalia of a university without the warmth and fellowship of academic society:

these are the handicaps against which Indian universities are still struggling and which prevent the university from becoming the centre and focus of India's intellectual life.

11.09 The responsibilities we have discussed so far are those which are specially related to higher education and they should be read together with the general objectives of education stated earlier to which all stages of education must contribute in some measure. For instance, the Indian universities must foster national consciousness. They should ensure 'that every student who passes out of an Indian university takes with him some understanding of India's cultural heritage, its past achievements and triumphs in the field of art, philosophy, science and so on. He should, in other words, know what he is heir to. This could, perhaps, best be done at the first degree stage where such a study could form a part of a programme of liberal education. It is not worthy, in this connection, that all university students in America have to take a course in western civilization.

11.10 We are convinced that a keen awareness of these responsibilities of the universities on the part of all university teachers and students is indispensable to the renovation of higher education we have in view. If we may say so, these are a challenge to the conscience of the university men and women and we trust it will be taken up in all seriousness.

11.11 Programmes of Development. To realize these ambitious objectives is no easy task. To do so in all our universities would need an order of investment in physical and monetary terms which is now beyond our reach and a large number of highly qualified and dedicated teachers who are not available. What is necessary, therefore, is a well-conceived and a comprehensive plan spread over the next twenty years and its vigorous and sustained implementation. This plan would include, amongst others, the following programmes which have high priority:

- a radical improvement in the quality and standards of higher education and research;
- expansion of higher education to meet the manpower needs of national development and, to some extent, the rising social ambitions and expectations of the people; and
- improvement of university organization and administration.

Extracts from the Report of the Third Kerala Pay Commission (1978)

The College Teachers have been demanding implementation of the U.G.C. Scales of pay in the state with suitable modifications i.e. without insisting on the conditions stipulated by the U. C. C.

* * * *

The State Government appointed a Special Officer to examine the question of introducing U. G. C. Scales of pay in the State. The Special Officer after going into the question in detail had expressed the view that the pay scales of Arts and Science College teachers are interconnected with the pay scales of other Services in the State and that if the former alone are revised, the entire pay structure of Government employees will be affected and a chain reaction will start, necessitating a general pay revision. He also pointed out that the U. G. C. Scales of pay will be inconsistent with the State's own scheme of pay revision introduced from 1-7-1973 and that any attempt at implementation of these scales could cause serious repercussions in the service.

* * * *

The Joint Action Council of University and College Teachers' Organisations represented before the Commission that the uniform running scale of Rs. 700-1,900 be recommended for college teachers irrespective of cadre distinction in conformity with the basic principles embodied in the University Grants Commission scheme of pay revision and in keeping with the scales of pay prescribed recently in the neighbouring States of Karnataka and Tamil Nadu. They also wanted D. A. at the State Government rates on the above pay scales. The U. G. C. had specifically indicated pay scales for different categories such as Tutors, lecturers and Principals.

The Government had not specifically referred to the Commission the question of introducing University Grants Commission scales of pay to the University and College teachers in the State and yet the Commission had the occasion to carefully examine the memorandum presented by the Joint Action Council of University and College Teachers' Organisation. The suggestions contained in their memorandum which were subsequently discussed with them in details, at one of the sitting of the Commission, clearly showed that what they wanted was something different from the U. G. C. Scheme. They held that

different States in India, while implementing the scheme, adopted their own variations to suit local conditions and that such a scheme should be possible in Kerala also. They had also brought in an entirely new concept, viz, that of introducing uniform running scale of Rs. 700-1900 for College teachers, irrespective of cadre distinction. In short as was pointed out to the representatives of the Action Council during the discussions, their proposals are substantially different from the University Grants Commission scheme of things. The position in fact is the same as has been stated by the Special Officer who had earlier gone into this question. So the commission has come to the conclusion that even in the case of the teaching staff of colleges, the pay scales should be so devised as to form part of the scheme of rationalisation of pay scales of State Government employees and not in isolation.

* * * *

At present Lecturers in Physical Education are also allowed the same scale of pay as other Lecturers and they are also eligible for the benefit of promotion to non-cadre Professor Grade II on completion of 15 years of service. Keeping in view of the general approach regarding rationalisation of scale of pay indicated in Chapter IV of part I, the equation of Lecturer in Physical Education (graduation with diploma in Physical Education) with other Lecturers (I or II Class postgraduation) is unscientific. As has been explained therein, the Lecturers in Physical Education will be placed on the revised scale of pay of Rs. 535-950. They will be eligible, for a higher grade on Rs. 700-1270 on completion of 15 years of service in the Lower grade. The existing incumbent in the post of Physical Education Lecturer and Professor Grade II in Physical Education will be allowed the scales of pay of Rs. 700-1270 and Rs. 910-1550 respectively as personal. The posts will redesignated as Physical Education Directors Grade II and Grade I. Junior Lectuer.

The posts of Tutor and Demonstrator were redesignated as Junior Lectuer from the beginning of the academic year 1972-73. They are allowed automatic promotion as Lecturer on completion of two years' service. Appointment to the post is by direct recruitment and the qualification prescribed is I or II class Honours or Master's Degree. The request that the post of Junior Lecturers may be abolished and candidates directly recruited as Lecturers is not recommended. The post will be placed on the revised scale of pay Rs. 470-830.

SCALES OF PAY

| | | |
|--------------------------------|-------------------------------------|------------|
| Junior Lecturer | — 470-16-550-18-730-20-830 | (20 years) |
| Lecturer | — 700-25-800-30-890-35-1030-40-1270 | (17 years) |
| Professor Grade II | — 910-40-950-50-1550 | (13 years) |
| Professor Grade I | — 1125-60-1725 | (10 years) |
| Principal / Dy. Directors | — 1300-60-1600-75-1900 | (9 years) |
| Directors | — 1800-75-2250 | (6 years) |
| Phy. Education Director Gr. II | — 535-18-625-20-825-25-950 | (20 years) |
| Phy. Education Director Gr. I | — 700-25-800-30-890-35-1030-40-1270 | (20 years) |
| D. A. | | |

* * * *

It is recommended that the rate of D. A. of State Government employees with effect from the date of revision of pay scales may fixed as 15% for those drawing pay upto and inclusive of Rs. 400 in the revised scale and 12% of pay for those drawing pay above Rs. 400 and upto and inclusive of Rs. 1000. For those in the higher pay ranges viz., Rs. 1,001 to Rs. 2250, the D. A. will be Rs. 1.0. In future when the Central Government sanctions one instalment of D. A. to its employees for 8 point increase in the cost of living index average, at the rates of 3½%, and 2½% the State Government may sanction D. A. to its employees at the following rates:

| Pay range | Percentage rate |
|--|--|
| Upto Rs. 400 in the proposed revised scale | 2½% of pay |
| Above Rs. 400 upto Rs. 1,000 | 2% of pay subject to a minimum of Rs. 10/- |

For those drawing pay above Rs. 1,000 in the proposed revised scales, the rate of D. A. will be the same as admissible to the employees drawing pay at Rs. 1,000. Cycle of operation may continue to be the same as in the Government of India. The existing conditions that pay plus D. A. shall not exceed Rs. 2,400 will also continue to be operative unless specifically modified by the Government of India. Under the revised rates as proposed above, there will be no reduction in the quantum of D. A. the State Government employees are now getting, for an 8 point-increase in the cost of living index average.

* * * *

The following rates of H. R. A. are recommended for the various categories:

- | | |
|--|--|
| (1) Employees in Trivandrum, Cochin and Calicut. | 8% of pay subject to a maximum of Rs. 50/- |
| (2) Employees in Municipal towns, Taluk headquarters and Guruvayoor Township | 6% of pay subject to a maximum of Rs. 30/- |
| (3) Employees in other places | Rs. 10/- |

RULES FOR FIXATION OF PAY

Existing Emoluments for the purpose of these rules shall be the total of :

(i) basic pay in the existing scale as on the date of change over to the revised scale, including the increment whether annual or biennial, if any, accruing on such rate in the existing scale;

(ii) Personal pay, if any, not specifically ordered to be absorbed in future increases of pay;

(iii) dearness allowance (at 272 points) admissible on such pay as under (i) and (ii) above at the rates in forces as on 1—4—1975.

8. To the existing emoluments computed as above shall be added advance increments (weight age) at the rate of one increment for every completed ten (10) years of (total) service, subject to a maximum of two (2) such increments provided that the monetary benefit of the total of such advance increments shall not be more than Rs. 50/- (Rupees fifty). The amount of the advance increments shall be the one appropriate to the level where the existing emolument reaches in the revised scale. If such level is a stage where the rate of increment changes in the new scale, the rate shall be the one immediately following such stage. If the second increment to be taken, where admissible is different, the rate of first increment alone will be reckoned for second advance increment (weightage) also. In cases where the "existing emoluments" is less than the minimum of the revised scale and the incumbents are eligible for weightage (advance increment), the weightage will be calculated at the rate of the first increment in the revised scale.

Service includes continuous teaching service of Government College teachers in private colleges which have jointed the scheme of direct payment.

Continuous teaching service of private college teachers in private aided schools (provided such service would have reckoned for pension, had they continued in private aided schools) and in Government schools / or Government Colleges. (Break if any, between such services not exceeding 30 days will be condoned, but the period of break itself will not be reckoned as service);

9. If the amount arrived at under Rule 8 above is a stage in the revised scales, pay shall be fixed at that stage and, if not at the stage next above, provided that,

- (i) If the increase over the existing emolument on such fixation in any case, irrespective of the length of service is less than Rs. 25 pay fixed as above shall be stepped upto such higher stage as may be necessary to ensure a minimum increase of Rs. 25.
- (ii) If the pay fixed as above goes beyond the maximum of the revised scale, pay shall be fixed at the maximum;
- (iii) If the existing emolument is more than the maximum of the revised scale, pay shall be fixed only at such maximum, the difference being allowed as personal pay; and
- (iv) If the minimum of the revised scale is more than the pay fixed as above, pay in the revised scale shall be fixed at its minimum

| | |
|---------------|---|
| Upto Rs. 300 | Thirty six percent (36%) of pay to be merged with basic pay |
| Above Rs. 300 | Twenty seven percent (27%) of pay subject to a minimum of Rs. 108 and and maximum of Rs. 243' |

The recommendations of the Pay commission, it is obvious, are totally disappointing. The Working Committee of the AKPCTA is meeting next week to make a close and detailed study of the recommendations. The Joint Action Council of the College teachers' Organisations which met at Ernakulam in 3-12-1978 called upon the teachers to oppose the recommendations and to request the Govt. to accept the teachers' longstanding demand for the implementation of the U. G. C. Scales with retrospective effect and grant the teachers D. A. at Central Govt. rates.

GOVERNMENT OF KERALA

No. 48219/ji/77/H. Edn.

Higher Education (J) Dept.,

Trivandrum, Dated 5/10/1978.

From

The Spl. Secretary to Govt.

To

1. Prof. R. Ramachandran Nair,
President, A. K. P. C. T. A.,
N. S. S. College, Ottapalam.
2. Sri. V. Narayanankutty,
Vice-President, A. K. P. C. T. A.,
Guruvayoorappan College, Calicut.
3. Prof. T. Gopalakrishnan,
General Secretary, A. K. P. C. T. A.,
S. N. College, Shertallai.
4. Prof. G. Madhavan Nair,
Joint Secretary, A. K. P. C. T. A.,
N. S. S. College, Nilamel.

Sir,

Sub: Demands of A.K.P.C.T.A. — Discussion held on 17/2/78 — Follow up action — Regarding —

Ref: Government letter No. 32666/J1/78/H. Edn. dated 20/9/78.

In continuation of the Government letter cited, I am to inform you that in regard to the procedure to be followed relating to the amount invested by the Principals of Private Colleges in K.S.D. loan and other long term deposit schemes the Director of Collegiate Education has been instructed on 12/9/1978 that he may get the security bonds transferred in his name. This will enable him to claim the interest in time and to credit it to the Provident Fund.

The Director of Collegiate Education has also been informed that on maturity of the bonds the Principal can also be credited to the Provident Fund and also that the securities can be entrusted to the Reserve Bank of India (Securities Department) Madras, for safe custody and collection of interest.

Approved for issue

Sd/-

Section Officer.

Yours faithfully

Sd/-

M. K. Samban

Under Secretary

For Spl. Secretary to Govt.

GOVERNMENT OF KERALA

No. 12239/J1/78/H. Edd.
Higher Education(J) Dept.,
Trivandrum, Dated 5/10/1978.

From

The Spl. Secretary to Govt.

To

1. Prof. R. Ramachandran Nair,
President, A. K. P. C. T. A.,
N. S. S. College, Ottapalam.
2. Sri, V. Narayanankutty,
Vice-President, A. K. P. C. T. A.
Guruvayoorappan College, Calicut.
3. Prof. T. Gopalakrishnan,
General Secretary, A. K. P. C. T. A.,
S. N. College, Shertallai.
4. Prof. G. Madhavan Nair,
Joint Secretary, A. K. P. C. T. A.,
N. S. S. College, Nilamel.

Sir,

Sub: Minutes of the discussion held on 17/2/1978 — Restriction on
Provident Fund subscription — Removal — Regarding —

Ref: Govt. letter No. 32666/J1/78/H. Edn. dated 20/9/1978.

I am to invite your attention to the demand on the above subject during
the discussion held on 17/2/1978 and to inform you as follows:

The rate of contribution to C. P. F. is 6 paise per rupee. The amount of
subscription during each month varies according to the quantum of pay received
by the subscriber during each month. The Government contribution is calculated
at 3 paise per rupee equivalent to one half of the amount subscribed by the
teacher after his admission to the fund. The Statutes do not permit teachers to
subscribe to the fund either more or less than the rate prescribed therein. As
such if the demand of the Associations is allowed, it may lead to confusion at the

Appointment of Cadre Professor in one college from another college under a different Management.

The question is under the consideration of Government.

Vacation Salary

Necessary instructions have already been given to the Director of Collegiate Education on 6/5/1978 and he has been directed to settle the problem relating to vacation salary as expeditiously as possible.

The action when Managements are not complying with the University Statutes, Ordinances, Regulations, Directions etc. are matters for the Universities to look into.

Yours faithfully
Sd/-

V. Venkitanarayanan
Secretary.

Approved for issue
Sd/-
Section Officer.

(True copy)

1030
120
1150

950
100
1050
50
1100
50
1150