

WB UNIVERSITY ORDINANCE

## Rule Makers, Rule Breakers

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THE RED HAMMER OF THE Communist Party of India (Marxist) did not only hit the Calcutta University as depicted vividly by late Professor Santosh Bhattacharyya in his book (*Red Hammer over Calcutta University* published by *The Statesman* in 2009) but it also struck on the other universities of West Bengal during the 34 years of uninterrupted rule of the CPM-led Left Front Government. Academic excellence was ruined in the name of democracy and the university administration was controlled by the party mandarins from their district and Kolkata headquarters. The core objective of any university, which was to institutionalise the cultivation of new knowledge, remained only in their emblems and law books. The poor output from the publication divisions of different universities in West Bengal illustrates among other things the failure of the universities to institutionalise the production of new knowledge in the different branches of science and the humanities. The performance of Calcutta University is poorest in this context because of the simple fact that it could not even republish the gem of books (unavailable since long) once written by the teachers of this heritage university.<sup>2</sup>

It is under this recent historical context that the present Trinamul-led government is making an attempt to bring radical changes in the laws of the universities in West Bengal by introducing the "West Bengal University Laws (Amendment) Ordinance, 2011" ( Vide *Kolkata Gazette* Part IJA, Wednesday November 2, 2011 PP.1-60) which would soon be placed in the West Bengal State Legislative Assembly for enactment after considering the feedbacks from different sections of the university community. Media reports have revealed that the new ordinance has already generated a lot of heat rather than light and a plethora of political argument and counter-argument instead of academic discussion in the public domain. The protagonists favouring the new ordinance have said that the elimination of the representation of different sections of the university community (students, non-teaching-staff etc.) through election in its highest governing councils (syndicate and executive council) is justified since it would depoliticise the university. The antagonists in the debate [mainly the CPI (M) functionaries] argue that the said elimination of the process of election and the representation of the different sections of the university community in the governing council would undermine the democratic structure of the university.

It is interesting to note that both the camps in the debate on the new ordinance are basically advancing political arguments, one in the name of "depoliticization" and the other in the garb of "democracy". Suffice it to say that "depoliticization" is itself a political move just like unionisation of the different sections of the university community in the name of "democracy". The Trinamul Education Cells have already come into existence in the universities of West Bengal. Amidst the heat of the debate, nobody suggested that the ordinance should have provisions for nominating students and research scholars of different departments with best academic records by the vice-chancellor to the governing councils of the university. There is no

suggestion from any quarter to include in the ordinance a clause which would enable the students to anonymously evaluate the teaching quality and performance of their professors. In fact, what the spokespersons of both camps overlooked is the obliviousness of the ordinance makers towards the almost complete non-fulfilment of the major objectives of the universities of West Bengal. The debaters on both sides also failed to notice that in the ordinance there is hardly any reflection of the specificities of the different universities of the state. Even a casual reading of the ordinance reveals that the makers of this new piece of legislation had two main political agenda, viz. (i) elimination of the role of students and research scholars in the governing councils of the university and (ii) empowering the non-academic bureaucrats by making them Ex-officio members of Court and Executive Council (e.g. the Registrar and the Finance Officer) of the university. A recent media report however, revealed that the present state government has backtracked from its earlier position by eliminating the Registrar and the Finance officer from the governing councils of the universities, but at the same time, it has also made provisions to increase the number of members in the highest decision making bodies of the university.<sup>3</sup> These members would come from the non-academic staff of the university and the presence of ex-officio members (e.g. various government officials) has also been augmented. In view of the fact that the Trinamul units are operating within the universities, the non-teaching staff and officers having allegiance to this political party (many of whom are former CPI(M) supporters) would make their entry in the governing councils, thereby making a mockery of the “depoliticization” move of the present state government. With minor variations, the would-be Acts of all the universities of West Bengal are moulded in the same dice, probably for the sake of uniformity. In short, the current debate on the new ordinance exposed the intellectual bankruptcy of the teachers’ and students’ organisations on either side of the ‘Great Divide’ regarding the crucial issue of the management and governance of the highest centres of learning in the state.

### VIDYASAGAR UNIVERSITY

It is better to look more closely into the new ordinance in the context of a very specific university of West Bengal. The name of this institution is Vidyasagar University (VU) which gained a lot of infamy owing to the association of this university with the suicidal death of its first Lodha (a “Primitive Tribal Group” by government parlance) woman graduate student named Chuni Kotal in the early nineties. A search in the *Wikipedia* reveals the short biography of Chuni Kotal as an Indian anthropologist along with Nirmal Kumar Bose, Varrier Elwin and Surajit Sinha! ([http://en.wikipedia.org/wiki/Category:Indian\\_anthropologists](http://en.wikipedia.org/wiki/Category:Indian_anthropologists)). But one does not find the name of Professor Anil Kumar Gayen (1st February 1919–7th February 1978)<sup>4</sup> in the *Wikipedia*, who was a Cambridge doctorate in Mathematics and a Professor of Statistics at the Indian Institute of Technology, Kharagpur, who dedicated his life to prepare the blue-print of Vidyasagar University and fetched the UGC sanction before the CPM-led LFG came to power in West Bengal. Prof Gayen passed away and the Vidyasagar University Act was enacted in the West Bengal Assembly in 1981. The CPI(M) bosses took over the control of this small university of West Bengal and successfully erased Gayen’s name from the public memory

centering round Vidyasagar University.<sup>5</sup> In the Website of Vidyasagar University under the section 'History and Heritage', there is only one sentence on Prof Gayen which reads as follows: "The idea of founding a University in the district was mooted by the various organizations, notably the Regional Education Association, Midnapore, headed by Professor A K Gayen of IIT, Kharagpur." There is also a photo of Prof Gayen in the visitors lobby of the Vice-Chancellor at Vidyasagar University but only a few members of the university community know his name and contributions. The dates of birth and demise of Gayen have never been celebrated at Vidyasagar University.

The University Grants Commission (UGC) recognized this University on condition that it should develop in a "non-traditional" line incorporating subjects, which would have rural development oriented bias. Accordingly, departments like Economics with rural development, Political Science with rural administration, Anthropology with tribal culture, Commerce with farm management, Applied Mathematics with Oceanology and Library and information science were introduced in the 1985-86 academic session. The Vidyasagar University Act in its section entitled "The University and its officers'" mentioned in its clause 4(2) that the institution shall have the power "to organize specialized diploma, degree or post-graduate courses... in such subjects as Tribal languages, habitats and customs, rural administration, forestry... regional resources planning, ecology and environmental studies." The clause 4(5) in the Act is more remarkable which emphatically stated that the University shall have the "*power to make such academic studies as may contribute to the improvement of economic conditions and welfare of the people in general and the tribal people in particular.*" (ibid) [Author's emphasis]. With this pro-poor and pro-tribal legislation passed in the state assembly of the Left Front Government (LFG) of West Bengal and taking its name after the famous nineteenth century social reformer Pandit Iswar Chandra Vidyasagar, the non-traditional University started its journey by affiliating 30 undergraduate colleges from Calcutta University within the administrative jurisdiction of the erstwhile Medinipur district. This was a sufficient load on this new University in terms of routine works related to examination and others to detract it from the stated objectives enshrined in its Act. This also reveals the populist policy decision of the LFG, which passed a "progressive Act" in the state assembly without giving any serious thought towards its implementation. The think-tanks of the Trinamul government, which included a Harvard historian, simply ignored this political history of Vidyasagar University while drafting the new ordinance.

Under this backdrop, the present ordinance appears to be deliberately unimaginative as regards the historical conditions and the specifics of the VU Act. It should have been remembered by the makers of the ordinance that Vidyasagar University was established with some specific aims and objectives, which were not only neglected but also been undermined by the Left Front Government. The UGC also granted the establishment of this University on condition that it should flourish as a "non-traditional University" [Clause 4(4) of the VU Act 1981] so that the university could contribute to the improvement of economic conditions and welfare of the people. But over the years Vidyasagar University became more like a traditional

university, which hardly catered to the improvement of economic conditions and welfare of the people through its research and teaching.<sup>6</sup> The ordinance has made no attempt to create the ombudsmen by which the performance of the different sections (teachers, students, research scholars and officials) of this university located within an economically backward zone could have been reviewed. To be more specific, in the ordinance, there should have been a clause within the powers of Vidyasagar University to oversee whether the research and the courses of study and the extension activities of the university is really working towards the needs of the underprivileged sections of the region within which the university is situated. In the language of law the following clause may be inserted under section 4 of the VU Act of 1981:

“The university shall have the power to constitute a committee of experts having knowledge and long standing experience in social and developmental work of the country. This committee would not only review the policy aspects of the research output of the faculties but also act as a liaison between the government and the university in matters related to the development and aspirations of the people of the region.”

Over the years, the Vidyasagar University has not only deviated from its mandate but under the impact of the New Education Policy of the Central Government it has also moved fast towards commercialisation of education through its Distance Mode of Learning often at the cost of sacrificing the quality of post graduate education. At present, the university has virtually no control over its own Directorate of Distance Education (DDE). The earlier Amendments of the VU Act in 1997 were oblivious to this new development which, over the years has reached gigantic proportions. The poor quality of education, lack of teaching staff and huge workload with alluring monetary offer to teachers of the regular mode of education have been causing havoc to the students who are now buying degrees from Vidyasagar University. The ordinance of 2011 should have contained a clause to control and monitor the DDE of Vidyasagar University with an aim to improve the quality of education through its Distance Mode of Learning. A clause may be inserted under the powers of Vidyasagar University, which should read as follows:

“The University has full control over the functioning of its Directorate of Distance Education and from time to time form high power committees to review its student intake, module preparation, quality of its syllabi in line with regular mode of education, core teacher recruitment and earnings and expenditures”.

The scenario of the implementation of the transparency law of the country is in total disarray at Vidyasagar University which has also been reported in the media and also in scholarly articles. One of the former vice-chancellors of Vidyasagar University who was given two successive terms by the Left Front Government appointed an inefficient Public Information Officer without even consulting the Executive Council of Vidyasagar University by a notification dated 10.01.2008 and this is the only proactive disclosure on RTI in the website of Vidyasagar University ([www.vidya.ac.in](http://www.vidya.ac.in)) till today. Immediately after assuming office this Public Information Officer was served with a show-cause notice by the West Bengal State Chief Information Commissioner on 15.07.2009 for the violation of the RTI Act, 2005.[West Bengal Information

Commission's Order No. 1463(2)-(Order)/WBIC/RTI/308/09 dt. 15.07.2009]. Ironically, the same Public Information Officer with an almost non-functioning RTI cell still continues at Vidyasagar University which makes a mockery of the transparency law of the country and helps in breeding the germs of corruption and anti work-culture ethic at this university. Under this grim context, the present ordinance seems to be totally out of touch with the brass tacks of Vidyasagar University as regards the implementation of the recent Right to Information Act, 2005 of the country. To be precise, there is no provision in the present ordinance to make it mandatory for Vidyasagar University to appoint well-trained officials as Public Information Officer and Appellate Authority and formation of a professionally skilled RTI cell of the university. There should also have been mandatory and time-bound provisions in the Vidyasagar University Act for making pro-active disclosure of the resolutions of the different statutory bodies of the university, like the Court and the Executive Council in the website of the university for greater transparency of the policy making and executive bodies. The suggested clause may be read as follows and inserted under the powers of Vidyasagar University:

"The University shall have the power to appoint a well-trained Public Information Officer and an Appellate Authority who shall be responsible for dealing with the RTI queries of the citizens and make proactive disclosure of information about the university as mandated in the RTI Act, 2005 promulgated by the President of India."

### WIDER IMPLICATIONS

The last two points have relevance not only for Vidyasagar University but also for the other state universities of West Bengal to which the ordinance makers of the new government of the state has not paid any attention. Rampant commercialisation of education and utter lack of concern as regards transparency in running the university administration may dovetail perfectly with this ordinance which has already empowered its non-academic high officials. The bureaucratiasation of the universities, however, is not a new phenomenon. The celebrated sociologist Andre Beteille in his article, *Universities in the Twenty-first Century* (published in 2010 in his book *Universities at the Crossroads* by Oxford University Press) noted this fact with grave concern. In this article Beteille quoted from the book of another renowned sociologist Edward Shils, who was also a member of the Kothari Commission of India during 1964-6. In the words of Shils:

"As a result the administrative staffs proliferate and academics find themselves surrounded on all sides by administrators, who want forms filled out, who wish to have their permission sought to do things for which older academics do not recall having had to seek permission. Rules, forms and "channels" become more prominent; informal understandings and conventions become less prominent in the administration of universities."

In all likelihood, under the new ordinance, the universities of West Bengal will move towards more bureaucrati-sation and mass production of degrees in the name of depoliticisation through a tight rope walking. Universities in the post-communist era would be corpora-tised in West Bengal under the Trinamul-led government and that is the agenda of Manmohan-

Montek-Chidam-baram-Sibal combine under the name of "efficiency" and "performance".  
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#### Endnotes :

1. The author is Associate Professor and one of the founder teachers of the Department of Anthropology, Vidyasagar University.
2. One good example is the book *Bengal Famine* (1949) written by Tarak Chandra Das, who was one of the pioneering teachers in the first Department of Anthropology in the country at the Calcutta University during 1923-64. Amartya Sen most frequently quoted Das in his book *Poverty and Famines* (1999) for its empirical authenticity and Jawaharlal Nehru praised the direct first-hand survey conducted by Das and his team at CU in his book *The Discovery of India* (1946) before its publication. A part of the book in the form of a memorandum was discussed in the British Parliament. But this epoch making book is no more available in the sales counter of CU. The successive Vice-Chancellors under the CPI (M) regime (among whom the last one is a historian) has not made any attempt to republish this book. Recently, Professor Mark Tauger, an American historian specialised in famine study praised Das for adopting a more scientific and holistic approach than taken up by Amartya Sen in his prize winning essay (Tauger, M. 2009. 'The Indian famine crises of World War II', *British scholar*, 1(2): 166-96). I wrote an article on Bengal Famine in the autumn number of *Frontier* in 2010.
3. 'Government backtracks on revised varsity Act'. *The Statesman*, 21 December 2011, p.5.
4. There is an excellent book in Bengali titled *Khejurir sekal ekal* edited by a local school teacher of Khejuri Mr Swapan Kumar Mandal, which contains a short biography of Prof Anil Kumar Gayen (pp.644-647). Gayen was born in a village under the Khejuri block of erstwhile Midnapore district which is presently under Purba(East) Medinipur district of West Bengal. This book has been published by the Netaji Patha Chakra of Purba Medinipur in December 2009.
5. The first Vice-Chancellor of Vidyasagar University, Professor Bhupesh Chandra Mukherjee mentioned the name of Professor Anil Kumar Gayen as the chief planner of Vidyasagar University in his short communication entitled "Vidya-sagar University: Its Objectives and Character" in the *Journal of Higher Education* (1987-88, Vol.13 Nos. 1-3) published by the UGC. No successive Vice-Chancellor of VU during the CPI (M) dominated regime had done anything to give recognition to the founder of this university. This was the fashion following which the Bengal communists have dealt with the history of the foundation of a twenty-six year old university. Recently, in early March, 2011, a group of teachers belonging to Trinamul Congress Education Cell has demanded before the Vice-Chancellor of VU to open a Statistics Department and a Chair in the honour of Prof Gayen and they have also demanded to install a statue of the founder of Vidyasagar University within the campus. (*The Statesman*, 4 March 2011) But that was all. The Trinamul leaders of the state and particularly those belonging to Purba Medinipur also seem to be equally oblivious about the contributions of Gayen in the making of this University.
6. Guha, A. 2008. "Of a university, a tribal village and Policymaking : (De) construction of a Development Dialogue". In *Contemporary Society: Tribal Studies* (2008) eds. Deepak Kumar Behera and Georg Pfeffer, Concept Publishing Company, New Delhi.
7. In a panel of the recent International Conference of Anthropology held in the University of Western Australia at Perth during 5-8 July 2011 in which the author of this article presented

the case of Vidyasagar University, Dr Victoria Burbank, a distinguished anthropologist in her presentation "Writing a book at UWA" noted: "I have always thought that writing books was something academics were supposed to do. However, my recent experience of writing a book at UWA has challenged that assumption. It almost seems that the university's motto, "seek wisdom", has transformed into "seek money" and writing books doesn't qualify authors as significant contributors to this latter endeavour."