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RIGHT TO EDUCATION, STATE AND THE NEO-LIBERAL ASSAULT¹

The debate on Right to Education was initiated by Mahatma Jotirao Phule almost 125 years ago when a substantial part of the memorandum presented by him to the Indian Education Commission (i.e. the Hunter Commission) in 1882 dwelt upon how the British Government's funding of education tended to benefit "Brahmins and the higher classes" while leaving "the masses wallowing in ignorance and poverty." In 1911, when Gopal Krishna Gokhale moved his Free and Compulsory Education Bill in the Imperial Legislative Assembly, he faced stiff resistance. Instead of supporting the Bill, the members representing the privileged classes from Mumbai, Maharajas and other rulers from princely states and the big landlords from feudal areas talked of the conditions in the country not being ripe for such a Bill and that haste should be avoided. The Maharaja of Darbhanga from Bihar collected 11,000 signatures on a Memorandum expressing concern about what would happen to their farm operations if all children were sent to the school! The Bill could not be approved. At the National Education Conference held at Wardha (Maharashtra) in 1937, Mahatma Gandhi had to use all the moral powers at his command to persuade the Ministers of Education of the newly elected Congress governments of seven provinces to give priority to Basic Education (*Nai Talim*) of seven years and allocate adequate funds for this purpose. The Ministers kept on pointing out that there was no money.

During the Constituent Assembly debate in 1948-49, a member contended that the commitment made in the draft Article (later to be known as Article 45) to provide "free and compulsory education" to children *up to 14 years of age* should be limited to *only 11 years of age* as India would not have the necessary resources. The dilution would have been made but for Dr. Babasaheb Ambedkar's clarity of mind that it is at this age of 11 years that a substantial proportion of children become child labourers. He forcefully argued that the place for children at this age in independent India should be in schools, not in farms or factories. This is how an unambiguous commitment to provide *free* education through regular full-time schools to all children up to 14 years of age (including children below 6 years) became an integral component of India's Constitution. This implies that the persistence of **more than half of our children** today in the school going age group of 6-14 years **as out-of-school children** (at least 5 crores of them being child labourers) constitutes a clear violation of the Constitution. Likewise, the provision of non-formal education in the National Policy on Education-1986 as well as the parallel streams of facilities of varying qualities in the World Bank-sponsored District Primary Education Programme (DPEP) of the 1990s and the ongoing Sarva Shiksha Abhiyan violate the basic spirit of the Constitution as all these are designed to co-exist with child labour.

¹Revised version of the paper prepared by Prof. Anil Sadgopal for the conference organised by the People's Campaign for Common School System in collaboration with the Institute of Human Rights Education, Madurai, Tamil Nadu, at Indian Social Forum, New Delhi, in November 2006 and submitted to the World Bank Tribunal, New Delhi (21-24 September 2007).

The rhetoric of lack of resources for mass education has continued to dominate policy formulation since independence. In June 2006, the Central Government, claiming lack of resources, decided not to present the Right to Education Bill in the Parliament in spite of it becoming obligatory under Article 21A introduced through 86th Constitutional Amendment in December 2002. Instead, the central government sent a highly diluted and distorted draft Bill to the state/UT governments advising them to get it approved in their respective assemblies. This amounted to blatant abdication by the centre of its Constitutional obligation to give effect to the Fundamental Right accorded to elementary education for children in the 6-14 year age group.

Right to Education as Envisioned in the Constitution

The majority comprising the upper classes and upper castes in the Constituent Assembly ignored Dr. Ambedkar's plea to place Article 45 in Part III of the Constitution, thereby denying education the status of a Fundamental Right in modern India. Instead, this Article was placed in Part IV of the Constitution making it a Directive Principle of the State Policy. In spite of this denial, there are five critical dimensions of the vision of education that emerges from the Constitution which must guide social movements in their struggle to gain Right to Education. **First**, this was the only Article among Directive Principles (Part IV) that had spelt out a time frame for its fulfillment viz. *within ten years* of the commencement of the Constitution. The political leadership since independence has failed to meet this obligation. **Second**, the *children below six years of age* were included in the reference to the children up to 14 years of age in Article 45. This made the provision of Early Childhood Care (including nutrition, health care and balanced development) along with pre-primary education of the children from birth to six years of age a Constitutional obligation of the State.² **Third**, the Constitution placed the agenda of *eight years of elementary education* before the State, rather than *merely five years of primary education*. In this light, the attempt by the policy makers since the 1990s, as reflected in World Bank-sponsored DPEP, to reduce this agenda to primary education must be viewed as being violative of the Constitution's vision. **Fourth**, elementary education must be provided in such manner *as not to violate other provisions* of the Constitution, especially Fundamental Rights. For instance, educational planning must be *consonant with the principles of equality and social justice* enshrined as Fundamental Rights. This has major implications that we will take up when we discuss the agenda of Common School System. It would suffice to state here that any programme that provides education of varying quality to different sections of society and denies education of equitable quality is not allowed by the Constitution. **Fifth**, the Article 45 should have been invariably read *in conjunction with Article 46* which directs the State to give special attention to the education of the SCs and STs.

The discourse on Right to Education in India got a new turn with Supreme Court's Unnikrishnan's Judgement in 1993. In this historic judgment the Supreme Court stated

²It is this category of *children below six years of age* that was excluded from Fundamental Right when Article 21A was introduced in December 2002 through 86th Constitutional Amendment.

that it is necessary to read Article 45 in Part IV of the Constitution in a "harmonious construction" with Article 21 (Right to Life) in Part III since Right to Life is meaningless if it is without access to knowledge. Thus the Supreme Court in 1993 **accorded the status of Fundamental Right to "free and compulsory education" of all children up to 14 years of age** (including the children below six years of age).

Right to Education and the Ruling Class

The above historic declaration by the Supreme Court in 1993 made India's ruling class uncomfortable. The central government undertook a series of exercises in the following years designed to extricate itself of the implication of the judgment. The Saikia Committee Report (1997) and the 83rd Constitutional Amendment Bill (August 1997) along with the report of the HRD Ministry-related Parliamentary Committee (November 1997) provide evidence of the clever ways being conceived in order to dilute and distort the concept of the Fundamental Right to education. However, there was public criticism of these attempts. Intellectuals, activists and people's organizations presented memoranda of their concerns to the Parliamentary Committee and organized public debates. Sensing this resistance, the entire matter of Right to Education was put in cold storage for the next four years.

In November 2001, the 86th Constitutional Amendment Bill was presented to the Lok Sabha. This Bill, like its predecessor 83rd Amendment Bill, too, was flawed. It was misconceived insofar it (a) excluded almost 17 crore children up to six years of age from the provision of Fundamental Right to *free* early childhood care and pre-primary education; (b) restricted the Fundamental Right of even the 6-14 year age group by introducing the phrase "*as the State may, by law, determine*" in Article 21A; (c) shifted the Constitutional obligation towards free and compulsory education from the State to the parents/guardians by making it their Fundamental Duty under Article 51A (k) to "*provide opportunities for education*" to their children in the 6-14 age group; and (d) reduced, as per the Financial Memorandum attached to the amendment Bill, the State's financial commitment by almost 30% of what was estimated by the Tapas Majumdar Committee in 1999.

There was widespread public criticism of the anti-people character of the above Bill. A rally of 40,000 people, drawn from different parts of the country, at Delhi's Ramlila Grounds held on the day the Bill was discussed in the Lok Sabha (Nov. 28, 2001) demanded radical amendments in the Bill. Several Lok Sabha MPs, cutting across party lines, also criticized the Bill. In public mind, it was becoming clear that the **hidden agenda of the Bill** was not to accord the status of Fundamental Right to elementary education but to snatch away the comprehensive right that the children up to 14 years of age had gained through the Unnikrishnan Judgment. Ignoring the public outcry, however, a consensus was arrived at among all the political parties of varying ideological backgrounds and the Bill was passed in both Houses of the Parliament without even a single dissenting vote. The aforesaid four flaws in the Bill, now legitimized through the 86th Amendment in December 2002, have since provided the basis for misconceiving the

Sarva Shiksha Abhiyan and, more recently, the Draft Right to Education Bill (2006) sent to the state/UT governments.

It is noteworthy that the new Article 21A introduced through the 86th Amendment is the only Fundamental Right that has been given *conditionally*. As pointed out above, this Right will be given to the children "as the State may, by law, determine." None of the other Fundamental Rights is tied to such a pre-condition. It is precisely this legislation that both the NDA and UPA governments failed to finalise and present in the Parliament. The latest move of the centre in June 2006 to shelve the Bill altogether by sending a flawed draft to the states/UTs amounts to abdication by the Indian State of its Constitutional obligations. Why did it become necessary for the ruling elite to incorporate such a pre-condition in Article 21A in the first place and then not to enact the legislation as per its requirement? In order to answer this question, we must examine the major policy shift that has taken place as a result of the adoption of the so-called economic reforms and the neo-liberal agenda of globalization.

Before probing the impact of the neo-liberal agenda, let us acknowledge a rather discomfoting reality. In spite of the significant flaws of the 86th Constitutional Amendment as pointed out above, it has taken the country more than four decades to accord education the status of Fundamental Right. In this sense, the amendment has indeed given the social movements a fairly powerful weapon to continue and broaden their struggle for education with equality, social justice and dignity. From this perception emerges a **three-fold agenda** viz. (a) struggle for realizing the full entitlement made available from this limited 86th Amendment; (b) using policy analysis (see the following Section) as a people's tool of struggle, expose the political economy of the amendment with a view to reveal the character of the Indian State as well as the neo-liberal agenda before the masses; and (c) extend the struggle to seek pro-people amendment of the 86th Amendment itself.

Neo-Liberal Assault on Education Policy

Although the agenda of globalization started operating in India from the mid-1980s onwards, its formal announcement was made through the New Economic Policy in 1991. The new element was IMF-World Bank's Structural Adjustment Programme imposed on the Indian economy as a pre-condition to receiving fresh international loans/grants. This meant that the Indian government was *obliged to steadily reduce its expenditure on the social sector*, particularly health and education. This was a rather enigmatic pre-condition in a country where the vast majority of the people did not have access to quality health or education. In education, it made even less sense as it was imposed by those who were advocating 'Education For All' programme along with the move towards the so-called "Knowledge Economy". One can't, therefore, avoid asking the question: what was the hidden agenda? An analysis of the declaration issued by the World Bank-UN sponsored "World Conference on Education for All" (1990) reveals that the central thesis in the Indian context was three-fold. **First**, the *State must abdicate* its Constitutional obligation towards education of the masses in general and school-based elementary education in particular, become dependent on international aid for even

primary education and work through NGOs, religious bodies and corporate houses. **Second**, the people *neither have a human right* as enshrined in the UN Charter *nor a Fundamental Right* to receiving *free* elementary education of *equitable* quality as implied by the 86th Amendment. **Third**, *education is a commodity* that can be marketed in the global market. It follows, therefore, that the education system - from the pre-school stage to higher education - must be, as rapidly as possible, privatized and commercialised. This central thesis has originated from the highest echelons of the global market economy and the Indian Parliament, along with India Inc., has unfortunately acquiesced without any critical scrutiny whatsoever, presumably in larger "national interest". Prof. Noam Chomsky, the redoubtable US scholar-cum-activist, would not have found a more shameful example of his proposition of "**manufacturing of consent**"!

In smaller countries, particularly in the ones lacking a strong base of government-funded schools, the above neo-liberal agenda would not be hard to implement. However, in a vast country like India, having a rich history of government's engagement in education, the neo-liberal agenda required a special strategy. The Indian situation was marked by glaring contradictions. On the one hand, a whole generation of academia, writers, scientists, doctors and engineers, civil servants, lawyers and public figures until the 1990s had been, by and large, nurtured in the government-supported education system. In 1991, the massive school network comprised more than 8 lakh schools (the figure has grown to more than 11 lakhs today), 94% of which were either government/local body or private but government-aided schools. **Less than 6% were private unaided schools.** The higher education system then comprised about 5,000 colleges, 1,000 professional institutions and 200 universities. It is no body's case, on the other hand, that the system was adequate - either in quantity or in quality. Half of the nation's children (and two-thirds of the girls) were essentially out of school - unable to complete even eight years of elementary education. The Constitutional goal of achieving universal elementary education by 1960 eluded the policy makers, as it continues to do even today. A conservative estimate showed that the number of primary schools needed to be increased by almost two-fold while the number of upper primary and secondary schools needed to multiply several fold. As a conservative estimate, we needed *at least* twice as many qualified and well-trained school teachers as we had in 1991 (this number then was about 40 lakhs).

The 1986 education policy had resolved to raise investment in education such that it will reach *at least* 6% of GDP by the year 2000. This unfulfilled resolve was incorporated in the UPA's Common Minimum Programme in May 2004. Yet, as percentage of GDP, India spent less on education in 2005-06 (less than 3.5% of GDP) than what it spent in 1985-86 when the policy was passed by the Parliament. This is despite the fact that the Government has levied 2% Education Cess and raised almost 40% of the resources for Sarva Shiksha Abhiyan from international funding agencies. Clearly, as a result of the Structural Adjustment Programme, the political will to mobilize public resources for education by reprioritisation of Indian economy is at a lower level today than what it was 20 years ago!

What the country needed in 1991 - five years after the 1986 policy - was a firm resolve to first rapidly fill up the **cumulative gap** resulting from continued underinvestment and

then maintain the elusive investment level of 6% of GDP in the following decades. Nothing short of a radical departure was long awaited in order **to energise and restructure the entire education system along with its curriculum**. Yet, what the global market forces persuaded the Indian State to do in the 1990s was precisely the opposite of what was directed by the Constitution and resolved by the 1986 policy. The undeclared but operative strategy was to *"let the vast government education system (from schools to universities) starve of funds and, consequently, deteriorate in quality."* As the quality would decline, resulting in low learning levels, the parents, even the poor among them, would begin to withdraw their children from the system. A sense of desperation and exclusion from the socio-economic and political space in the country would prevail.

When the children **"walk-out" of the schools** in protest against poor quality and irrelevance (**no child ever drops out**, the official claims notwithstanding!), two possibilities would emerge. First, low fee-charging unaided private schools (recognized or unrecognized) would mushroom to meet the new demand. Second, the government would have an *alibi* for closing down its schools as their low enrolment would have made them unviable. The school campuses could then be converted into commercial ventures such as shopping malls in urban areas or police stations in rural areas, as it has been happening all over the country. The latter and a well-equipped police force will increasingly become the State's priority in order to control the young people turning into lumpen elements (or terrorists/drug traffickers) as they were excluded from these very schools only a few years earlier. More importantly, the *opportunity of socialization*, necessary for becoming part of even the bourgeois vision of the nation through schools and colleges, was effectively denied to them. Yet, closure of schools would be unabashedly termed "rationalization" of the school system in the official reports. The 1990s and the beginning of the 21st century stand witness to this phenomenon. The neo-liberal agenda was operating as per its original design!

The public expectations from the government system posed another challenge to the global market forces. Arguably, a general unrest in the country might be expected if the above neo-liberal strategy of demolishing the government school system became too apparent. The World Bank-sponsored District Primary Education Programme (DPEP), therefore, took a cue from the 1986 policy's non-formal stream for the poor. It started promoting low quality parallel streams, rather than providing more of regular full-time schools. From 1993-94 onwards, the DPEP pushed and eulogized all kinds of parallel streams such as alternative schools, education guarantee centres, multi-grade teaching and bridge courses – anything but a regular school! The cadre of teachers was rapidly replaced by *para-teachers* i.e. under-qualified, untrained and under-paid young persons appointed on short-term contract. A new sociological principle emerged: a separate layer of educational 'facility' (not a school) as per the social and economic status of the child. A **Common School System functioning through Neighbourhood Schools** would have instead enabled children of different class, caste, religious and language backgrounds to study and socialise together. This would have helped promote equality and social justice and also an appreciation of India's rich diversity and composite culture. With their own children studying in the Neighbourhood School, this would have also provided an objective basis for the more powerful and privileged sections of society to

have a vested interest in the state-supported school system, thereby maintaining both its quality and political credibility. However, the emerging system in the 1990s, as promoted by the neo-liberal agenda, was designed to isolate and alienate children belonging to different sections of society. The Indian Constitution was in tatters.

The impact of neo-liberal agenda on the Indian education policies must not be underestimated. Education is no more viewed as a tool of social development but as an investment for developing human resource and global market (see Ambani-Birla Report's Foreword, Gol, 2000). This innocuous looking statement of the purpose of education amounts to a major paradigm shift. The dominant features of education with serious epistemic and associated implications which emerge out of this paradigm shift may be identified as follows:

- i) trivialisation of the goals of education e.g. confusing education with merely literacy or skills;
- ii) fragmentation of knowledge, as was done in Minimum Levels of Learning;
- iii) alienation of knowledge from its social ethos and material base;
- iv) increasingly dominant role of the global market forces in determination of the character of knowledge;
- v) institutionalisation of economic, technological and socio-cultural hegemony of the international instruments in the formulation of curriculum e.g. space being given to World Bank, UN agencies, corporate houses and their foundations, foreign universities and externally funded researches and projects in decision-making;
- vi) introduction of parallel and hierarchical educational streams for different social segments;
- vii) marginalisation of poor children and youth as well as the backward regions through competitive screening and a discriminatory system of institutional assessment and accreditation; and
- viii) attrition of the State-supported and democratic structures for educational planning, finance allocation and management.

Admittedly, however, many of the features enumerated above were evident either in rudimentary or relatively more pronounced forms in the 'pre-globalisation' phase as well. This is exactly what one would expect in view of the colonial control before independence and hegemony of the ruling classes on the Indian State, with no significant democratic social intervention, in educational policy formulation since independence. What globalisation has done is the heightening and sharpening of these pre-existing contradictions.

All these dilutions and distortions were institutionalized in India's education policy during the 1990s through World Bank's DPEP in more than half of India's districts spread over 18 states. None of these policy measures were formally approved by the Parliament, though they were violating the Constitution's principle of equality and social justice. The

much-hyped Sarva Shiksha Abhiyan packaged all these measures into one 'mega' scheme and sought legitimacy through the Tenth Plan. The Parliament was no more the supreme policy-making body. Directions were coming from the World Bank and such other agencies representing the global market.

What is Common School System?

The Education Commission (1964-66) had recommended a Common School System of Public Education (CSS) as the basis of building up the National System of Education with a view to "bring the different social classes and groups together and thus promote the emergence of an egalitarian and integrated society." The Commission warned that "instead of doing so, education itself is tending to increase social segregation and to perpetuate and widen class distinctions." It further noted that "this is bad not only for the children of the poor but also for the children of the rich and the privileged groups" since "by segregating their children, such privileged parents prevent them from sharing the life and experiences of the children of the poor and coming into contact with the realities of life. . . . also render the education of their own children *anaemic and incomplete*. (emphasis added)" The Commission contended that "if these evils are to be eliminated and the education system is to become a powerful instrument of national development in general, and social and national integration in particular, we must move towards the goal of a common school system of public education."

The Commission also pointed out that such a system exists "in different forms and to varying degrees" in other nations like the USA, France and the Scandinavian countries. The British system, however, was based upon privileges and discrimination but, in recent decades, under rising democratic pressure, it has steadily moved towards a comprehensive school system which is akin to the Common School System as recommended by the Commission. There are other developed countries as well like Canada and Japan that practice similar systems. It may not be an exaggeration to assert that **none of the G-8 countries have reached where they are without practicing the essential attributes of a Common School System**. Can India hope to be an exception to this historical experience if it wishes to join the comity of developed nations?

The 1986 policy, while advocating a National System of Education, resolved that "effective measures will be taken in the direction of the Common School System recommended in the 1968 policy." Taking into consideration these policy imperatives and the contemporary emphasis on decetralisation along with the necessary flexibility in the school system to be able to respond to the contextual curricular demands, the concept of the Common School System (CSS) has itself been evolving. There are three widespread misconceptions about CSS, often promoted by its detractors, which we must deal with before going ahead. First, **CSS is misperceived as a uniform school system**. On the contrary, the Education Commission itself advocated that each institution should be "intimately involved with the local community be regarded as an individuality and given academic freedom." This guiding principle has assumed even greater significance in recent times in view of the expectation from each school or a cluster of schools to be able to respond to the local contexts and reflect the rich diversity

across the country. The rigidity of the present school system will be adequately challenged when flexibility, contextuality and plurality are accepted, among others, as the defining principles of CSS. Second, **it is wrongly claimed that CSS will not permit a privately managed school to retain its non-government and unaided (or aided) character.** Again, on the contrary, CSS implies that all schools – irrespective of the type of their management, sources of income or affiliating Boards of examinations – will participate and fulfill their responsibility as part of the National System of Education. *In no case, however, a school will be allowed to use education for profit making or spreading disharmony.* The only expectation from the private schools shall be to function in consonance with the Constitutional, in general, and provide free elementary education of equitable quality, as required under Article 21A. Third, the private school lobby has worked overtime **claiming that CSS would mean complete government control over schools.** There is no reason whatsoever to assume that Govt. grants necessarily lead to government control – the two needed to be viewed independently of each other. In developed countries like USA and Canada, the school system is entirely funded by the state governments but it is entirely managed locally in a decentralised mode. In light of the 73rd and 74th Constitutional Amendments, decentralized management of schools with full accountability is now a statutory expectation. This, however, does not absolve the government from fulfilling its obligations towards financing, monitoring and making policies.

We must also note that 86th Constitutional Amendment (2002) enjoins upon the State to provide free and compulsory education to all children as a Fundamental Right. This amendment in Part III of the Constitution has major implications for the national system of education which cannot continue to function as it has since independence. All schools in the country, including privately managed unaided (or aided) schools, are under social obligation to act as agencies of the State to fulfill the obligation flowing out of Article 21A regarding equality and social justice. This means that they have to act as genuine neighbourhood schools to provide free education to all children residing in the neighbourhood as may be prescribed by the government from time to time. The central and state governments are hence required to take concrete time-bound measures, including policy modification, in order to meet the new Constitutional obligation.

Based upon the evolving public discourse since the Education Commission's recommendation in 1966, the following principles have come to define the framework within which CSS is to be conceived:

- i. The system of school education is to be rooted in the vision of the Constitution. This implies that, while being consonant with the Preamble, it must also ensure that (a) the Fundamental Rights, especially those relating to equality and social justice, as enshrined in Part III are not violated and (b) the Directive Principles as ordained in Part IV are promoted.
- ii. Education of equitable quality is a Constitutional imperative.
- iii. Education is not used for profiteering, spreading disharmony or subjugation.

- iv. Schools that promote inequality, discrimination and injustice in society are not to be allowed to function.

The following may, therefore, be listed as essential features of a CSS that is to be developed as the National System of Education pertaining to school education:

- coverage from pre-elementary to Plus Two stage;
- all schools, including private unaided schools, to provide absolutely free education from Class I-VIII as per Article 21A of the Constitution; for pre-primary and secondary education, a rational fee structure to be ensured by the state/UT governments and/or local bodies in all category of schools;
- all schools, including private unaided schools, to become neighbourhood schools; neighbourhood to be specified for each school; necessary legislation to cover all government, local body and private schools to be enacted;
- screening, interviews or parental interaction not allowed as a valid basis for admissions;
- common *minimum* norms and standards for infrastructure, equipment and teacher-related aspects for both state-funded and private unaided schools (recognized and unrecognized); these may relate to school land and buildings, number, size and design of classrooms, drinking water and toilets, mid-day meals, barrier-free access and other requirements of various categories of disabilities, facilities for girls at the age of puberty, playground and sports, performing and fine arts facilities, teaching aids, library, laboratory, information technology, number of teachers and their qualifications/specializations along with pre-service and in-service training, pupil:teacher ratio and others such requirements;
- common curriculum framework, shared features of curriculum and comparable syllabi with flexibility relating to texts, teaching aids, teaching-learning process, evaluation parameters, assessment procedures and school calendar;
- common language policy that takes into account the multi-lingual context of the majority of Indian children, pedagogic role of the mother tongue and its relationship with the state language, minority languages (Article 350A) and the increasing significance of English in providing equitable access to knowledge, careers and economic opportunities;
- decentralized school management that ensures the necessary degree of institutional autonomy while locating it within the broad framework of the 73rd and 74th Constitutional Amendments relating to rural and urban areas respectively;
- affiliation to a common Board of Examinations for all schools within a state/UT;

We may add that the principles underlying the concept of Inclusive Education are integral to the vision of Common School System. In the Indian context, Inclusive Education has to go beyond the Salamanca Declaration (UNESCO, 1994) and

transcend the issue of disability. It must concern itself with all marginalized sections of society viz. *dalits*, tribals, religious and linguistic minorities, child labour and of course, the physically and mentally disabled and particularly the girls in each of these categories, whom the school system tends to exclude in substantial proportions. Unless this exclusionary character of Indian education is challenged, both theoretically and in practice, by application of the principles of Inclusive Education, neither the Common School System nor Universalisation of Elementary Education (UEE) can become a reality.

Further, the kind of paradigm shift National Curricular Framework – 2005 (NCF–2005) is apparently advocating can become sustainable only when it is implemented in all categories of schools, including the private unaided schools, in the whole of the country within a declared timeframe through a properly phased programme. The essential linkage between curricular reforms and systemic reforms must be appreciated, before it is too late. Few realize that curricular reforms in a school system founded on inequality and discrimination will increase disparity in the quality of education. Such reforms, therefore, would be meaningful as well as feasible only within the framework of a Common School System.

The educational vision reflected in Common School System has become critical for the survival of India as a sovereign State and a civilized society since the global market forces are rapidly encroaching upon government school campuses and also impacting on the nature of knowledge inherent in the curriculum, with little concern for the Constitutional principles or the welfare of the large majority of the people.³ Transformation of the present multi-layered school system into a Common School System calls for a major dialogue-building nation-wide political exercise, keeping the federal structure of the country and concurrency-of education in mind. To be sure, people's movements must lead this campaign and build up public pressure on the State.

Let us acknowledge that **no developed or developing country has ever achieved UEE or, for that matter, Universal Secondary Education, without a powerful state-funded and state-regulated well-functioning Common School System, founded on the principle of Neighbourhood Schools, in one form or another.** India is unlikely to be an exception to this historical and global experience, notwithstanding the ambition of the Indian State to become a 'superpower' by 2020!

New Assaults on Right to Education

During the past 2-3 years, the neo-liberal forces have come up with new forms of assaults on the notion of Right to Education and Common School System. It is critical

³ASSOCHAM, for instance, is lobbying with MHRD for major changes in the school system so that corporations and other private bodies can turn education into a commodity and use it for profit. Powerful market lobbies have worked through Indian NGOs during the recent past to successfully introduce the alarming idea of Voucher System in the Eleventh Plan's Approach Paper.

that we learn to identify and deconstruct these assaults. Here are three examples that should enable us to identify all such moves that will emerge in future:

- A new diversionary tactic was conceived and effectively used during the recent debate on Right to Education Bill viz. **25% reservation** for weaker sections in private unaided schools drawn from the latter's neighbourhood. The entire debate was diverted away from the issue of the Common School System to the problems that the private school lobby is likely to face in finding resources for such reservations and the cultural gap between those who pay fees and those who would get the same education due to their entitlement. No body was bothered by the implication of 25% reservation that 75% of the children paying fees shall not come from the neighbourhood. Does this amount to a move towards equality or charity? Would the charging of fees from the privileged children in the 6-14 year age group not amount to violation of Article 21A? An issue of even greater significance is about the number of children this provision is likely to 'benefit'. Let us make an estimate. The enrolment at the elementary stage in the private unaided schools (including the low quality unrecognized ones) in the whole country is hardly 20% of the total enrolment at this stage (Seventh All India School Educational Survey, NCERT, 2003). This means that the total capacity of the private unaided school sector to provide elementary education is limited to a maximum of 4 crore children out of 20 crore children in the 6-14 year age group. If 25% of this capacity of the private school sector is reserved for the weaker sections, the number of the so-called 'beneficiaries' can in no case exceed 1 crore children. What about the Right to Education of the remaining 19 crore children? Clearly, the proposal of 25% reservation in private schools has nothing to do with either the issue of Right to Education, nor with Common School System nor with any programme of systemic transformation as per 86th Amendment. Yet, the political leadership concerned with policy formulation and the bureaucracy as well as the entire media, child right organizations and even the judiciary is going overboard in promoting the idea of '25% issue' as if the Right to Education is realizable only through this mechanism. This apparently myopic perception is a result of the ruling class knowing that the proposal of 25% reservation will not necessitate any changes in the national economy against its vested interests and also that this will not come in the way of the ongoing privatization and commercialization of education.
- The Eleventh Plan's Approach Paper has made a reference to the **Voucher System for government school children** without any evidence of prior democratic consultation or academic discourse.⁴ What is Voucher System? As per its promoters, the under-privileged children shall be given these vouchers that promise to pay their fees in private schools contingent upon the children getting admission. However, the promoters are not telling the public that the system has already collapsed in several countries. The hidden agenda of course

⁴The reference to Voucher System in Planning Commission's Draft Approach Paper made in May 2006 amounted to essentially a green signal for the idea. However, there was a widespread criticism from various quarters. As a result, the reference in the final paper (December 2006) has been carefully made ambiguous but it is there to be pushed at the right moment.

is to provide backdoor funding of private schools by shifting resources from the government schools using the instrumentality of the voucher. The market lobby knows that this will be an effective means of demolishing the vast government school system and thus accelerating the pace of privatization and commercialisation of school education. With the destruction of the system of publicly funded schools, there shall be 'free for all' situation wherein, not just the fee structure, but the curriculum and pedagogy too will be guided by the market alone. This is precisely what the voucher system lobby is aiming at – i.e. taking school education out of the Constitutional domain!

- As explained above, the neo-liberal forces have operated a policy design during the past 15 years aimed at **demolishing the government school system**. After having achieved considerable success in these objectives, these forces are now organizing so-called **researches and studies** on the school system in India through partnership with NGOs and individual academics. All these studies are designed to produce data to establish how ineffective is the government school system in terms of poor pupil:teacher ratio, teacher absenteeism and low quality teaching. However, no such report throws any light on how these schools have reached this state of ineffectiveness. Nor do these reports tell us about the role played by the ruling class in collusion with the market forces in destroying a school system that was functioning fairly well only 20-25 years ago. Obviously, the objective of destroying the credibility of the government schools is so overpowering for the market forces that it does not have any space for truth whatsoever.

The Epistemic Assault

The Ambani-Birla Report (2000), submitted to the Prime Minister's office, was yet another example of how the market forces began to erode India's sovereignty and the democratic process of the Parliament. It introduced several new formulations in the policy discourse in India **to convert education at all levels into a marketable commodity**. Once this is accepted in principle, **a paradigm shift follows by implication**. Although the Ambani-Birla Report was never approved by the Parliament, most of its recommendations are now being implemented in rapid succession.

It is time that the paradigm shift in the framework that determines the character of knowledge is recognised. The epistemic (i.e. knowledge-related) implications that flow out of this paradigm shift dominate the policy discourse and decision-making at all levels – legislature, executive and the judiciary. The global market forces, supported by the India Inc., have discovered new avenues, spaces and ways and means in this market-oriented anti-people framework to powerfully intervene and to further dilute and distort policies. The Indian academia and activists, by and large, stand co-opted in this process.

The goals of the market-oriented education policy are in direct conflict with the social vision of the Constitution. The assault by the market forces on the character of knowledge is rapidly marginalizing the educational goal of preparing citizenry for a

democratic, egalitarian, secular and enlightened society. The Eleventh Plan's Approach Paper on secondary education, in the context of extending it to the under-privileged sections of society, states that the focus of secondary education shall be to prepare skilled workforce for the global market. In contrast, the privileged will be given access to the highest forms of knowledge on a priority basis through a handful of elite institutions and thus enabled to shift to the advanced countries and serve the global "Knowledge Economy". The twist given by the government to the recent reservation debate resulted in shifting the resources from elementary education to the elite professional institutions in order to increase the total availability of seats in favour of the privileged upper castes. This is yet another evidence of the dominance of the ruling class and market agenda working in collusion against the masses. **Thus the market assault is not merely in terms of denying education of equitable quality to the masses but also in terms of the social and pedagogical character of knowledge itself.** This is to be viewed as an epistemological assault on the generation, distribution and transaction of knowledge. The challenge is now being increasingly deciphered by the people's movements. Education is certain to be accepted as the fourth critical resource, apart from *jal-jangal-jameen*, for the survival of the struggling masses. Herein lies the emerging agenda for the people's movement to retrieve India's sovereignty!

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शिक्षा का अधिकार, राज्य और नव-उदारवादी आक्रमण¹

ऐतिहासिक पृष्ठभूमि

आज से सवा सौ साल पहले महात्मा जोतिराव फुले ने ब्रिटिश राज द्वारा गठित भारतीय शिक्षा आयोग (1882) को प्रस्तुत अपने ज्ञापन में एक विडंबना का जिक्र करते हुए कहा था कि सरकार का अधिकांश राजस्व तो मेहनतकश किसान-मजदूरों से आता है लेकिन इसके द्वारा दी जाने वाली शिक्षा का प्रमुख लाभ उच्च वर्ग और उच्च वर्ण उठा लेता है। महात्मा फुले की यह टिप्पणी भारत की आज की शिक्षा पर भी सटीक बैठेगी। सन् 1911 में इम्पीरियल असेम्बली में गोपाल कृष्ण गोखले ने मुफ्त और अनिवार्य प्राथमिक शिक्षा का विधेयक पेश किया। लेकिन यह विधेयक सामंती एवं नव-धनाढ्य ताकतों के विरोध के कारण पारित न हो सका। विरोध का एक आधार संसाधनों की कमी बताया गया। सन् 1937 में वर्धा (महाराष्ट्र) में आयोजित अखिल भारतीय शिक्षा सम्मेलन में महात्मा गांधी ने नव-निर्वाचित सात प्रांतीय सरकारों के शिक्षा मंत्रियों को चुनौती देते हुए कहा कि उनकी पहली प्राथमिकता है कि वे सभी बच्चों को प्राथमिक शिक्षा देना सुनिश्चित करें और वह भी उत्पादक काम पर आधारित शिक्षा। लेकिन सभी मंत्रियों ने गांधीजी को कहा कि देश के पास इसके लिए संसाधन नहीं हैं। जब संविधान लिखा जा रहा था तो संविधान सभा के एक सदस्य ने ड्राफ्टिंग समिति के अध्यक्ष डॉ. बाबासाहेब अंबेडकर से अनुरोध किया कि प्रस्तावित अनुच्छेद 45 में 14 साल की उम्र तक के बच्चों को मुफ्त और अनिवार्य शिक्षा के वायदे को घटाकर 11 साल तक का कर देना चाहिए चूंकि भारत एक गरीब देश है और संसाधनों की कमी है। लेकिन डॉ. अंबेडकर ने यह कहकर इस कुतर्क को नहीं माना कि आजाद भारत में इस उम्र के बच्चों के लिए सही जगह स्कूल होनी चाहिए, न कि खेत-खलिहान व कारखाने। लेकिन यह सिलसिला आज भी जारी है। जून 2006 में वर्तमान भारत सरकार ने संसाधनों की कमी का दावा करते हुए 86वें संविधान संशोधन के अनुच्छेद 21(क) के तहत प्रस्तावित शिक्षा के अधिकार विधेयक को संसद में पेश करने से इंकार कर दिया और विधेयक का एक बेहद कमजोर प्रारूप राज्य सरकारों को भेजकर अपनी संवैधानिक जवाबदेही से पल्ला झाड़ लिया।

2.0 संविधान में शिक्षा के मौलिक अधिकार की मूल दृष्टि

डॉ. अंबेडकर के प्रयासों के बावजूद शिक्षा को संविधान के मौलिक अधिकार वाले खंड तीन में नहीं रखा जा सका। हालांकि 14 साल की उम्र तक के सभी बच्चों को मुफ्त और अनिवार्य शिक्षा का वायदा देने वाला अनुच्छेद 45 संविधान के राज्य के नीति निर्देशक सिद्धांतों के खंड चार में रखा गया, लेकिन शिक्षा के बारे में संवैधानिक दृष्टि के चार महत्वपूर्ण बिंदुओं पर गौर करना जरूरी है। **पहला**, खंड चार में यह एकमात्र अनुच्छेद है जिसकी पूर्ति के लिए समय सीमा रखी गयी थी - संविधान लागू होने के दस साल के भीतर इस संकल्प को पूरा

¹ 'समान स्कूल प्रणाली की जनमुहिम' के एक संस्थापक सदस्य डॉ. अनिल सद्गोपाल द्वारा लिखित एवं विश्व बैंक ट्राइब्युनल, नई दिल्ली (21-24 सितम्बर 2007) को प्रस्तुत।

करना था जो आज तक नहीं हुआ। दूसरा, 14 साल की उम्र तक में छह वर्ष से कम उम्र के भी बच्चे शामिल थे यानी जन्म से लेकर 6 वर्ष तक के बच्चों के पोषण, स्वास्थ्य और पूर्व-प्राथमिक शिक्षा को राज्य की जवाबदेही में शामिल किया गया था। तीसरा, संविधान ने आठ वर्ष की प्रारंभिक शिक्षा का एजेंडा राज्य के सामने रखा था, न कि महज पांच साल की प्राथमिक शिक्षा का। चौथा, इस अनुच्छेद को अनुच्छेद 46 के साथ पढ़ा जाना चाहिए जिसमें संविधान ने दलित और आदिवासी बच्चों की शिक्षा पर विशेष ध्यान देने के लिए राज्य को निर्देशित किया था।

शिक्षा के अधिकार के विमर्श में नया मोड़ सर्वोच्च न्यायालय द्वारा सन् 1993 में दिये गये उन्नीकृष्णन फैसले से आया। इस फैसले में सर्वोच्च न्यायालय ने कहा कि अनुच्छेद 45 को खंड तीन के जीवन के हक वाले अनुच्छेद 21 के साथ जोड़कर पढ़ने की जरूरत है चूँकि ज्ञान देनेवाली शिक्षा के बगैर इंसान का जीवन निरर्थक है। इस तरह सर्वोच्च न्यायालय ने सन् 1993 में 14 साल की उम्र तक के बच्चों के लिए मुफ्त और अनिवार्य शिक्षा को मौलिक अधिकार का दर्जा दे दिया।

3.0 मौलिक अधिकार और शासक वर्ग का नजरिया

सर्वोच्च न्यायालय के उक्त ऐतिहासिक फैसले के बाद भारत का शासक वर्ग लगातार इस कोशिश में लगा रहा कि किस प्रकार उन्नीकृष्णन फैसले के असर को घटाया या विकृत किया जाए। भारत सरकार की सैकिया समिति रपट (1997) और 83वां संविधान संशोधन विधेयक (1997) व उसपर मंत्रालय की संसदीय समिति की रपट इस बात की गवाह हैं कि केंद्रीय सरकार ने शिक्षा के मौलिक अधिकार के मायने को ही घटाने व विकृत करने एवं शिक्षा में बाजार की ताकतों को जगह देने के उद्देश्य से क्या-क्या चतुर उपाय किए। लेकिन सरकार के इस नजरिए की सार्वजनिक तौर पर तीखी आलोचना हुई और संसदीय समिति को भी शिक्षाविदों व जन संगठनों ने ज्ञापन पेश किए। अतः अगले चार साल के लिए शिक्षा के अधिकार का मसला ठंडे बस्ते में डाल दिया गया। लेकिन अचरज तो यह है कि सभी राजनैतिक दल चुप्पी साधे रहे।

नवंबर 2001 में 86वां संविधान संशोधन विधेयक लोकसभा में पेश हुआ। संसद के अंदर और बाहर इस विधेयक के जन-विरोधी चरित्र पर व्यापक बहस हुई - जन सभाएं हुईं व रैलियां निकलीं। स्पष्ट था कि इसको पेश करने का परोक्ष उद्देश्य शिक्षा का हक देना नहीं वरन् सर्वोच्च न्यायालय के उन्नीकृष्णन फैसले से मिले हक को छीनना था। जो अधिकार उन्नीकृष्णन फैसले से जनता को मिल चुके थे वे भी 86वें संशोधन के चलते छिन गये। इसके बावजूद अंततः सार्वजनिक आलोचना को नजरंदाज करते हुए सभी राजनैतिक दलों में आपसी सहमति बन गयी और यह विधेयक संसद के दोनों सदनों में सर्वसम्मति से पारित हो गया। दिसंबर 2002 में विधेयक पर राष्ट्रपति के दस्तखत हो गये और यह संशोधन संविधान का अंग बन गया।

इस संशोधन के जरिए खंड तीन में अनुच्छेद 21(क) जोड़ा गया जिसके तहत 6-14 आयु समूह के बच्चों को मुफ्त और अनिवार्य शिक्षा का मौलिक अधिकार दिया तो गया लेकिन एक शर्त के साथ। पूरे खंड तीन में यह मौलिक अधिकार अकेला ऐसा मौलिक अधिकार है जो सशर्त दिया गया है। बाकी सभी मौलिक अधिकार बगैर किसी शर्त के दिये गये हैं। शर्त यह है कि शिक्षा का मौलिक अधिकार "उस रीति से दिया जाएगा जो राज्य कानूनन निर्धारित

करेगा।" ऐसी शर्त क्यों लगाई गयी, यह समझने के लिए हमें वैश्वीकरण के चलते भारत की शिक्षा नीति और व्यवस्था में जो भारी परिवर्तन हुए हैं उनको जानना होगा।

4.0 शिक्षा पर वैश्वीकरण का आक्रमण

भारत में वैश्वीकरण की शुरुआत की औपचारिक घोषणा तो सन् 1991 में नई आर्थिक नीति की घोषणा के साथ हुई। लेकिन इसके एजेंडे का सूत्रपात 1980 के दशक के मध्य में ही हो चुका था। इसका सबूत संसद द्वारा पारित हमारी 1986 की शिक्षा नीति में मौजूद परस्पर विरोधाभासी बयानों में देखा जा सकता है। एक ओर तो नीति ने कहा कि कोठारी शिक्षा आयोग (1964-66) द्वारा अनुशंसित पड़ोसी स्कूल की अवधारणा पर आधारित समान स्कूल प्रणाली की ओर बढ़ने के लिए कारगर कदम उठाये जायेंगे (खंड 3.2, राष्ट्रीय शिक्षा नीति, 1986)। लेकिन दूसरी ओर इस अवधारणा के ठीक विरुद्ध एजेंडा बनाया गया। आजाद भारत में शिक्षा नीति का यह पहला दस्तावेज है जिसने घोषित किया कि आठ साल की प्रारंभिक शिक्षा सभी बच्चों को स्कूल के जरिए नहीं दी जा सकेगी। संबधित आयु समूह (यानी 6-14 आयु समूह) के कम-से-कम आधे बच्चे ऐसे होंगे जिन्हें स्कूल उपलब्ध नहीं किया जायेगा वरन् उन्हें औपचारिक स्कूल के समानांतर घटिया गुणवत्ता वाली औपचारिकेतर (नॉन-फॉर्मल) धारा के जरिए शिक्षित किया जायेगा (खंड 5.8-5.12, राष्ट्रीय शिक्षा नीति, 1986)। इस समानांतर धारा में नियमित शिक्षक नहीं पढ़ायेंगे - उनकी जगह बगैर आर्हता वाले ठेके पर रखे गये निर्देशक या शिक्षाकर्मी नियुक्त किये जायेंगे। इस तरह **सरकारी स्कूल के नीचे** देश के आधे बच्चों के लिए घटिया शिक्षा की एक परत बिछाने का नीतिगत फैसला हुआ। इसी नीति में एक और परत **सरकारी स्कूल के ऊपर** ग्रामीण क्षेत्र के मुट्ठी भर अपेक्षाकृत संपन्न तबके के बच्चों के लिए नवोदय विद्यालयों की बिछाने की घोषणा हुई (खंड 5.14-5.15, राष्ट्रीय शिक्षा नीति, 1986)। 1986 की शिक्षा नीति ने समान स्कूल प्रणाली की जगह बहु-परती शिक्षा व्यवस्था स्थापित करने की वैधानिक घोषणा कर दी जिसने 1990 के दशक में वैश्विक बाजार की ताकतों को शिक्षा के निजीकरण व बाजारीकरण की धरातल दी।

सन् 1991 में घोषित नई आर्थिक नीति के बाद वैश्विक बाजार का प्रतिनिधित्व करनेवाली दो ताकतवर संस्थाओं - अंतरराष्ट्रीय मुद्रा कोष एवं विश्व बैंक - ने भारत सरकार के सामने कर्ज व अनुदान पाने के लिए अपनी शर्तें रखीं। शर्तों के पैकेज का नाम था 'संरचनात्मक समायोजन कार्यक्रम' (स्ट्रक्चरल एडजस्टमेंट प्रोग्राम)। इसके तहत सरकार के लिए यह आवश्यक हो गया कि वह देश के शिक्षा व स्वास्थ्य समेत सभी समाज विकास और कल्याण कार्यक्रमों पर खर्च घटाये। सरकार ने ये शर्तें स्वीकारीं। उल्लेखनीय है कि कोठारी शिक्षा आयोग ने कहा था कि पूर्व प्राथमिक स्तर से लेकर उच्च शिक्षा तक उम्दा गुणवत्ता की शिक्षा देने के लिए जरूरी है कि देश के सकल राष्ट्रीय उत्पाद का कम-से कम 6 प्रतिशत हर वर्ष खर्च किया जाए। इसके बावजूद सन् 1991 की आर्थिक नीति के चलते **अगले 15 सालों में सकल राष्ट्रीय उत्पाद के प्रतिशत के रूप में शिक्षा पर किए जाने वाला खर्च लगातार घटाया गया।** सन् 2005-06 में यह खर्च घटते-घटते बीस वर्ष पूर्व के स्तर पर आ गया यानी सकल राष्ट्रीय उत्पाद का महज 3.5 प्रतिशत। यह इसके बावजूद हुआ है कि सर्व शिक्षा अभियान का लगभग 40 प्रतिशत बजट विश्व बैंक व अन्य अंतरराष्ट्रीय वित्तपोषक संस्थाओं से आता है और वर्तमान संप्रग सरकार विगत दो वर्षों से प्रारंभिक शिक्षा के नाम पर 2 प्रतिशत उपकर अलग

से इकट्ठा कर रही है। स्पष्ट है कि जनता के सभी तबकों को समतामूलक गुणवत्ता की शिक्षा उपलब्ध कराने के लिए शासक वर्ग की राजनैतिक इच्छाशक्ति विगत 15 वर्षों में लगातार घटती गयी है। ऐसा करने में वैश्विक बाजार की ताकतों का छिपा हुआ एजेंडा भारत की विशाल सरकारी स्कूल प्रणाली (आज लगभग 11.2 लाख स्कूल) को ध्वस्त करना था ताकि उसकी जगह फीस लेनेवाले निजी स्कूल ले सकें। इसी एजेंडे का दूसरा पहलू सरकार को शिक्षा के प्रति अपनी संवैधानिक जवाबदेही से बरी होने का मौका भी देना था। लेकिन इतनी बड़ी और स्थापित व्यवस्था को खत्म करना आसान न था। अतः विश्व बैंक ने सन् 1993-94 से सरकारी खर्च में कटौती के फलस्वरूप हुई क्षति की आंशिक पूर्ति के नाम पर शिक्षा के लिए कर्ज व अनुदान का कार्यक्रम शुरू किया जिसको जिला प्राथमिक शिक्षा कार्यक्रम (डी.पी.ई.पी.) के नाम से जाना जाता है। जहाँ पूरे भारत में केंद्रीय और राज्य सरकारें मिलकर आठ साल की प्रारंभिक शिक्षा पर लगभग रु. 40,000 करोड़ सालाना खर्च कर रहीं थीं वहीं विश्व बैंक ने स्वयं द्वारा प्रायोजित डी.पी.ई.पी. में मात्र रु. 500-1,000 करोड़ सालाना खर्च करके स्कूली शिक्षा नीति पर अपना वर्चस्व स्थापित कर लिया। विश्व बैंक और इसकी सहचर अंतरराष्ट्रीय वित्तपोषक संस्थाओं की इस घुसपैठ के फलस्वरूप अगले 10-15 सालों में भारत की पूरी स्कूल व्यवस्था छिन्न-भिन्न हो गई। वैश्विक बाजार की इस रणनीति के निम्नलिखित तत्व पहचाने जा सकते हैं —

1. शिक्षा के समग्र सामाजिक विकास के उद्देश्यों की जगह महज साक्षरता-संबंधी कौशलों ने ले ली।
2. समान स्कूल प्रणाली की जगह बहु-परती शिक्षा व्यवस्था स्थापित हुई - हरेक तबके के लिए एक अलग गुणवत्ता की शैक्षिक परत बिछाने का नया समाजशास्त्रीय सिद्धांत गढ़ा गया।
3. नियमित शिक्षक की जगह आर्हता-विहीन, प्रशिक्षण-विहीन और कम वेतन प्राप्त करनेवाले ठेके पर नियुक्त पैरा-शिक्षक ने ली। इस नए कैडर को विभिन्न राज्यों में नाना प्रकार के लुभावने नाम देकर घटिया शिक्षा की हकीकत छिपाने की कोशिश की गयी।
4. 1986 की शिक्षा नीति में संसद द्वारा निर्देशित न्यूनतम तीन कक्षाभवन और तीन शिक्षकोंवाले स्कूलों की जगह बहु-कक्षायी अध्यापन जैसी 'चमत्कारिक' अवधारणा के तहत शिक्षकों को अकेले एक साथ पांच कक्षाओं को पढ़ाने का प्रशिक्षण दिया गया जिसपर सैंकड़ों करोड़ रुपये का खर्च किया गया जो कर्ज के रूप में देश की अगली पीढ़ी चुकायेगी।
5. आठ साल की प्रारंभिक शिक्षा के संवैधानिक एजेंडे की जगह पांच साल की प्राथमिक शिक्षा ने ली।
6. पाठ्यचर्या को ऐतिहासिक, राजनैतिक, सामाजिक और सांस्कृतिक संदर्भों से काटकर बाजार के संदर्भों से जोड़ा गया (संदर्भ — एम.एल.एल. की अवधारणा, भारत सरकार, 1991)।

7. शिक्षण पद्धति का निर्धारण शिक्षाशास्त्रीय सिद्धांतों पर न होकर बढ़ते क्रम में सूचना प्रौद्योगिकी एवं उसका व्यापार करने वाली कम्पनियों की तर्ज पर होने लगा।
8. शिक्षा प्रणाली में प्रणालीगत परिवर्तन करके उसका देश की जरूरतों के अनुरूप पुनर्निर्माण करने का उद्देश्य हाशिए पर धकेल दिया गया। इसकी जगह तदर्थ व अल्पकालीन स्कीमों और परियोजनाओं ने ले ली जिन्हें बगैर जांचे-परखे शुरू करने और बिना वैज्ञानिक आकलन के मनचाहे ढंग से बंद करने की खुली छूट मिल गई (उदा. डी.पी.ई.पी. एवं सर्व शिक्षा अभियान)।
9. राज्य की संवैधानिक जवाबदेही की जगह बाजार की ताकतों ने ले ली।
10. सरकार और पंचायती राज संस्थानों जैसे संवैधानिक निकायों की जगह शिक्षा की जिम्मेदारी तेजी के साथ गैर-सरकारी संगठनों (एन.जी.ओ.) एवं धार्मिक (साम्प्रदायिक समेत) संगठनों को सौंपने का खतरनाक सिलसिला शुरू हुआ।
11. शिक्षा नीति के निर्णय हमारी संसद और विधान सभाओं में न होकर देशी व अंतरराष्ट्रीय बाजार एवं विश्व बैंक के मुख्यालय में होने लगे।
12. शिक्षा के अधिकार वाले परिप्रेक्ष्य की जगह बाजार में शिक्षा की कीमत और बच्चे के परिवार की आर्थिक हैसियत वाला परिप्रेक्ष्य स्थापित हुआ।

यह कहना अतिशयोक्ति नहीं होगी कि शिक्षा का विकास संवैधानिक एवं लोक कल्याणकारी परिप्रेक्ष्य में न करने का उच्च-स्तरीय राजनैतिक निर्णय लिया जा चुका है। शिक्षा बाजार में खरीद-फरोख्त की वस्तु बन चुकी है और इसे विश्व व्यापार संगठन के पटल पर रखने का फैसला बगैर किसी लोकतांत्रिक बहस के चुपचाप लिया जा चुका है। शिक्षा नीति की जगह अंतरराष्ट्रीय वित्त पर आधारित स्कीमों व परियोजनाओं (बहु-चर्चित 'सर्व शिक्षा अभियान' समेत) ने ले ली है जिनके तहत स्कूली शिक्षा के समानांतर निम्न गुणवत्तावाली कई शैक्षिक परतें बिछायी जा चुकी हैं। शर्त केवल एक है - यह वैकल्पिक व्यवस्था केवल गरीब जनता के लिए खड़ी की जायेगी यानी दो-तिहाई जनता के लिए जिसमें प्रमुखतः दलित, आदिवासी, अति-पिछड़े, अल्पसंख्यक और विकलांग शामिल हैं और इन समुदायों में भी विशेषकर लड़कियां। इस प्रकार संविधान के समानता एवं सामाजिक न्याय के सिद्धांत का खुलकर उल्लंघन हुआ है।

इस नई वैश्वीकृत बहु-परती शिक्षा नीति का छिपा हुआ एजेंडा देश की विशाल सरकारी स्कूल प्रणाली की गुणवत्ता गिराकर उसको इतना जर्जर बना देना था कि गरीब लोग भी अपने बच्चों को वहाँ से निकाल लें और निजी स्कूलों की तलाश करने लगे। इसमें विश्व बैंक और उनकी अनुयायी हजारों गैर-सरकारी संस्थाओं को अपेक्षित सफलता मिली है। सरकारी स्कूलों की विश्वनीयता तेजी से गिरी और हर प्रकार के दुकाननुमा निजी स्कूल कुकुरमुत्तों की तरह पैदा हुए जिनमें बड़ी तादाद में मान्यता-विहीन स्कूल शामिल हैं। सरकारी स्कूल प्रणाली से 1970 के दशक से उच्च एवं मध्यम वर्गों ने जो महापलायन शुरू किया उस प्रक्रिया में अंग्रेजी माध्यम के बढ़ते हुए प्रभुत्व को रेखांकित करने की जरूरत है। इसके चलते सरकारी स्कूल प्रणाली की गुणवत्ता बरकरार रखने के लिए आवश्यक राजनैतिक व सामाजिक रूप से प्रभावी आवाज भी लुप्त हो गयी। आज पूर्व-प्राथमिक स्तर से लेकर उच्च व प्रोफेशनल

स्तर तक की शिक्षा का बाजारीकरण करना सरकारी नीति बन चुकी है। **नीति निर्माण की लगाम संसद व विधानसभाओं से खींचकर वैश्विक बाजार की ताकतों** यानी विश्व बैंक की अगुवाई में सक्रिय अंतरराष्ट्रीय वित्तपोषक संस्थाओं व देशी-विदेशी कार्पोरेट घरानों को सौंपी जा रही है। इसके साथ-साथ शिक्षा के जरिए वर्ग-भेद, जाति-भेद, धार्मिक कट्टरवाद, नस्लवाद, पितृसत्ता, सामंती व गैर-तार्किक सोच, पिछड़ेपन आदि विकृतियों के खिलाफ लड़ाई आगे बढ़ाने के सरोकार गौण हो रहे हैं। शिक्षा, वैश्विक बाजार की ताकतों के हाथ में वर्चस्ववाद, शोषण, सांप्रदायिकता व विषमता फैलाने का हथियार बनती जा रही है। दरअसल, वैश्वीकरण के शिक्षा पर हुए आक्रमण को मात्र निजीकरण व बाजारीकरण मान लेना अति-सरलीकरण होगा। पूरी सच्चाई तो यह है कि **वैश्वीकरण का आक्रमण शिक्षा में निहित ज्ञान के चरित्र पर है** ताकि ज्ञान के सृजन, संप्रेषण और वितरण पर बाजार की ताकतों का नियंत्रण हो सके। तभी तो जनमानस को बाजार के हित में मोड़ा जा सकेगा।

5.0 आज की हकीकत

आज 6-14 वर्ष आयु समूह के आधे से अधिक बच्चे (दो-तिहाई लड़कियां) संविधान में निर्देशित आठ वर्ष की प्रारंभिक शिक्षा से वंचित हैं। पांचवीं कक्षा तक अधिकांश बच्चे एक भी सही वाक्य नहीं लिख पाते हैं (न अपनी भाषा में, न किसी अन्य में) और दो अंकों का गुणा-भाग तक नहीं कर पाते हैं। कुल मिलाकर एक-तिहाई बच्चे ही हाई स्कूल तक पढ़ पाते हैं (दलित, आदिवासी और अल्प-संख्यक समुदायों में यह आँकड़ा बमुश्किल 20-25 प्रतिशत है; मात्र 17 प्रतिशत आदिवासी लड़कियां दसवीं तक पहुँच पाती हैं और पास तो आधी ही होती होंगी)। इन्हीं समुदायों में 12वीं पास करनेवाले बच्चों का प्रतिशत 5-6 प्रतिशत से अधिक नहीं है। उच्च शिक्षा, संबंधित आयु समूह (18-23 वर्ष) के मात्र 7 प्रतिशत को ही उपलब्ध है, जबकि चीन में यह आँकड़ा 16 प्रतिशत है। एक विकसित राष्ट्र बनने के लिए यह आँकड़ा कम-से-कम 20 प्रतिशत होना चाहिए और चीन जल्द ही इस लक्ष्य को प्राप्त कर लेगा। गिने-चुने उच्च शिक्षा संस्थानों को छोड़कर अधिकांश संस्थानों की गुणवत्ता, निजी संस्थानों समेत, पिछले 15-20 वर्षों में गिरती गई है।

6.0 एक और हकीकत

जी-8 (अमरीका, कनाडा, इंग्लैंड, फ्रांस, जर्मनी, जापान आदि) के उच्च-विकसित देशों में अकूत संपदा व ताकत के अलावा एक और साझी बात है - उन सभी देशों में सार्वजनिक धन पर सुचारु रूप से चलनेवाली सबको उपलब्ध पड़ोसी 'समान स्कूल व्यवस्था' है जिसके बगैर वे मुल्क वहाँ नहीं पहुँच पाते जहाँ वे आज पहुँच पाये हैं। यही बात स्कैंडेनेवियन मुल्कों पर भी लागू होती है और अन्य कई मुल्कों पर भी। निजी स्कूल खोलना और इस स्तर पर फीस और कैपीटेशन चार्ज लेना पिछड़े मुल्कों की पहचान है। यह भारतीय 'राज्य' द्वारा अपनी संवैधानिक जवाबदेहियों से पल्ला झाड़ने की नीति का सबूत है। दरअसल, **शिक्षा को मुनाफे का जरिया मान लेने से ही तमाम विकृतियों के दरवाजे खुल जाते हैं**। अधिकांश विकसित देशों में उच्च शिक्षा को भी सरकार धन मुहैया कराती है और उनका नियंत्रण भी करती है। सार्वजनिक धन पर चलनेवाली उच्च शिक्षा संस्थाओं में अमरीका में 76 प्रतिशत, फ्रांस में 88 प्रतिशत, रूस में 89 प्रतिशत, कनाडा में 100 प्रतिशत और जर्मनी में 100 प्रतिशत विद्यार्थी पढ़ते हैं। इन विकसित मुल्कों की सरकारें **ज्ञान सृजन, संप्रेषण व वितरण में बाजार की**

भूमिका पर अपने-अपने राष्ट्र हित में सचेत नियंत्रण रखती हैं। लेकिन वे ही ताकतें भारत जैसे विकासशील देशों को बाजार की निर्बाधित और वर्ग-भेद पर आधारित “च्वाइस” यानी “चयन के हक” का भ्रामक पाठ पढ़ाती हैं। इसी तथाकथित चयन के हक का भ्रम फैलाकर देश का शासक वर्ग दो-तिहाई जनता को गुणवत्तापूर्ण शिक्षा से वंचित रखने के इरादे से हर स्तर पर शिक्षा को वैश्विक बाजार में खरीद-फरोख्त की वस्तु बनाने के कदम उठा चुका है। यह रणनीति ज्ञान व्यवस्था पर उच्च वर्ग और उच्च वर्ण के वर्चस्व को बरकरार रखने की रणनीति है।

7.0 समान स्कूल प्रणाली क्या है?

कोठारी शिक्षा आयोग (1964-66) ने पड़ोसी स्कूल की अवधारणा पर आधारित समान स्कूल प्रणाली की अनुशंसा करते हुए कहा था कि इसके बगैर एक समतामूलक व समरस समाज का निर्माण नहीं हो सकता है। यदि ऐसा नहीं हो सका तो विषमता और आपसी दूरियां बढ़ती जायेगी। इसका नकारात्मक प्रभाव न केवल गरीबों पर वरन् संपन्न तबकों पर भी पड़ेगा चूंकि वे यह जान ही नहीं पायेंगे कि देश की दो-तिहाई जनता की हकीकत क्या है और उनके सरोकार क्या हैं। इससे इन तबकों की भी शिक्षा अधकचरी व अपूर्ण रह जाएगी। आयोग के अनुसार समान स्कूल प्रणाली के आधार पर ही एक ऐसी राष्ट्रीय शिक्षा प्रणाली का निर्माण हो सकेगा जहाँ सभी वर्गों व तबकों के लोग इकट्ठे पढ़ सकेंगे। यदि ऐसा नहीं हुआ तो आयोग ने चेतावनी दी कि समाज के प्रभावकारी वर्ग सरकारी स्कूल से पलायन करके निजी स्कूलों की ओर बढ़ेंगे और सरकारी स्कूल प्रणाली की गुणवत्ता बरकरार रखने के लिए आवश्यक दबाव खत्म हो जाएगा। 1970 के दशक के मध्य से उच्च वर्गों ने अंग्रेजी के बढ़ते हुए प्रभुत्व को पहचानकर अंग्रेजी माध्यम के स्कूलों की तलाश में निजी स्कूलों की ओर भागना शुरू किया। यदि सरकार में सही शिक्षा के प्रति राजनैतिक इच्छाशक्ति होती तो कोठारी आयोग द्वारा अनुशंसित **त्रि-भाषा सूत्र की तर्ज पर पूरे देश में समान भाषा नीति लागू करती**। इसके तहत हर स्कूल में सभी बच्चों को बिना किसी भेदभाव के भारत की बहु-भाषाई पृष्ठभूमि के अनुरूप मातृभाषा से शुरू करके राज्यविशेष की भाषा को माध्यम बनाते हुए उम्दा गुणवत्ता की अंग्रेजी सिखाने की सुविधा दी जाती। लेकिन ऐसा करने से उच्च वर्गों व उच्च वर्णों का वर्चस्व खत्म हो जाता। अतः समान स्कूल प्रणाली के लिए आवश्यक समान भाषा नीति नहीं अपनाई गयी। जो हुआ वह अपेक्षित था। उस काल के तमाम उम्दा गुणवत्ता वाले सरकारी स्कूलों में — जहाँ आज की बुजुर्ग और अधेड़ पीढ़ी के विद्वानों, शिक्षकों, नौकरशाहों, व अन्य पेशेवरों ने गुणवत्तापूर्ण शिक्षा पाई है — तेजी से गिरावट आनी शुरू हुई। जैसाकि ऊपर विवरण दिया है कि वैश्वीकरण के बाद गुणवत्ता को गिराना एक सचेत नीति का हिस्सा बन गया। आज इस बहु-परती सरकारी शिक्षा प्रणाली की विश्वसनीयता इस कदर गिर चुकी है कि इसमें, केंद्रीय व नवोदय विद्यालयों को छोड़कर, केवल उस तबके के बच्चे पढ़ते हैं जिनकी हैसियत कम फीस व घटिया सुविधाओं वाले मान्यता-विहीन दुकाननुमा स्कूलों में भी अपने बच्चों को भेजने की नहीं है। इस तरह तीस साल पहले की तुलना में समान स्कूल प्रणाली स्थापित करने का काम आज कहीं अधिक मुश्किल हो चुका है।

समान स्कूल प्रणाली के बारे में तीन मनगढ़ंत धारणाएं निजी स्कूल लॉबी द्वारा जानबूझकर फैलाई जाती हैं। **पहला**, यह कहा जाता है कि यह प्रणाली सारे देश में एकरूपी

लोचहीन प्रणाली स्थापित कर देगी। सच तो यह है कि एकरूपता की जकड़न तो वर्तमान प्रणाली की पहचान है जहां बोर्ड व प्रतिस्पर्धात्मक परीक्षाओं के चलते विविधता और लोच के खिलाफ एक अघोषित लड़ाई चलती रही है। समान स्कूल प्रणाली तभी राष्ट्रीय शिक्षा प्रणाली बन सकेगी जब इसकी पाठ्यचर्या का आधारभूत सिद्धांत देश में व्याप्त विविधता होगा - हर प्रकार की विविधता - भू-सांस्कृतिक, सामाजिक, भाषाई और नस्ली। शर्त केवल यह होगी कि हरेक स्कूल के पास न्यूनतम ढांचागत, शिक्षक-संबंधी व अन्य शैक्षिक मापदंड बरकरार रखने के लिए पर्याप्त संसाधन उपलब्ध हों जिसकी पूरी जवाबदेही सरकार की होगी। **दूसरा**, जमकर दुष्प्रचार किया गया है कि इसमें निजी स्कूलों के लिए जगह नहीं होगी। उलटे, उक्त प्रणाली में *निजी स्कूलों के लिए पूरी जगह होगी, लेकिन शिक्षा से मुनाफा कमाने के लिए कतई जगह नहीं होगी।* ध्यान केवल यह रखना होगा कि निजी स्कूल संविधान में निहित सिद्धांतों के अनुसार चलेंगे और अनुच्छेद 21(क) के जरिए दिये गये समतामूलक व मुफ्त शिक्षा के अधिकार के तहत पड़ोसी स्कूल की तरह काम करेंगे। **तीसरा**, निजी स्कूल लॉबी ने यह प्रचार भी किया है कि इस प्रणाली के लागू होते ही हर स्कूल पर सरकार का पूरा नियंत्रण हो जायेगा। हमें समझना होगा कि सरकारी धन या अनुदान का अर्थ प्रबंधकीय या शैक्षिक नियंत्रण कतई नहीं है, हालांकि आजतक यही होता आया है। **सरकारी अनुदान के बावजूद हर स्कूल की स्वायत्तता रह सकती है बशर्ते कि स्कूल संवैधानिक खाके में रहकर काम करें।** 73वें और 74वें संविधान संशोधनों ने जन भागीदारी पर आधारित विकेंद्रित व्यवस्था खड़ी करने की पूरी गुंजाईश दी है लेकिन इसका यह मतलब कतई नहीं हो सकता कि सरकार को नीति बनाने, आवश्यक संसाधन देने एवं निगरानी रखने जैसी अपनी संवैधानिक जवाबदेही से छूट मिल जायेगी। आज बाजार की ताकतें शिक्षा के निजीकरण व बाजारीकरण की रफ्तार तेज करने के इरादे से विकेंद्रीकरण की ऐसी विकृत अवधारणा को फैला रहीं हैं जिसके तहत सरकार को उसकी उक्त जवाबदेहियों से बरी करने का रास्ता खुल जाये। हमें बाजार की इस रणनीति के प्रति सचेत रहना होगा। अमरीका व कनाडा जैसे विकसित देशों में सार्वजनिक धन पर आधारित होने के बावजूद वहाँ की स्कूल व्यवस्था पूरी तरह विकेंद्रित है जिसके संचालन में आम जन और विशेषकर अभिभावकों की निर्णायक भूमिका है। हम ऐसे मुल्कों से सबक ले सकते हैं।

एक और मुद्दा। बगैर समान स्कूल प्रणाली के पाठ्यचर्या में सुधार की बात करने का मतलब होगा कि विभिन्न परतों के स्कूलों के बीच गुणात्मक गैर-बराबरी बढ़ाना। यानी **पाठ्यचर्या में देशव्यापी सुधार तभी संभव होगा जब सभी स्कूलों में गुणात्मक सुधार के लिए समतामूलक धरातल होगा।** इसके लिए समान स्कूल प्रणाली आवश्यक शर्त है। हाल में इसी मुद्दे को लेकर तीखी बहस हुई जब एन.सी.ई.आर.टी. ने राष्ट्रीय पाठ्यचर्या की रूपरेखा-2005 (एन.सी.एफ.-2005) बनाने की कवायद की। एक पक्ष यह मानने को तैय्यार ही नहीं था कि पाठ्यचर्या में सुधार का समान स्कूल प्रणाली से कोई सार्थक रिश्ता हो सकता है। अंततः काफी जद्दोजहद के बाद एन.सी.एफ.-2005 में समान स्कूल प्रणाली का जिक्रभर तो हो पाया लेकिन पाठ्यचर्या सुधार और समान स्कूल प्रणाली के रिश्ते का सिद्धांत स्थापित करवाने के लिए शासक वर्ग पर जनता को दबाव बनाना होगा।

यह तय है कि जब हरेक स्कूल सच्चे मायने में पड़ोसी स्कूल बनेगा तभी तो हर तबके, जाति, मजहब या भाषा के बच्चे एकसाथ पढ़ पायेंगे। यह पूर्व शर्त होगी एक लोकतांत्रिक,

धर्मनिरपेक्ष एवं समतामूलक भारत के निर्माण के लिए। तभी ऐसे हालात बनेंगे कि भारत की संपूर्ण प्रतिभा का इस्तेमाल सामाजिक विकास के लिए हो पायेगा।

8.0 शिक्षा का अधिकार और समान स्कूल प्रणाली का रिश्ता

निःसंदेह 86 वें संविधान संशोधन का चरित्र कई मायनों में जन-विरोधी था और इसका असली मकसद वैश्वीकरण के चलते 1990 के दशक में हमारी शिक्षा नीति व व्यवस्था में जो विकृतियां आई थीं उनका वैधानीकरण करना था। लेकिन तबभी इसके द्वारा 6-14 आयु समूह की मुफ्त और अनिवार्य शिक्षा को मौलिक अधिकार का दर्जा मिलना भारतीय इतिहास में एक ऐतिहासिक परिघटना है। इसके निम्नलिखित व्यापक निहितार्थ हैं —

- 1) प्रारंभिक शिक्षा का मौलिक अधिकार तभी सार्थक होगा जब इसे अन्य मौलिक अधिकारों के साथ जोड़कर दिया जाये। यानी ऐसी प्रारंभिक शिक्षा नहीं दी जा सकती जो समानता, सामाजिक न्याय, अभिव्यक्ति की स्वतंत्रता, मजहब चुनने की स्वतंत्रता या जीने के हक का उल्लंघन करे। इसके साफ मायने हैं कि **पड़ोसी स्कूल की अवधारणा पर आधारित समान स्कूल प्रणाली के जरिए शिक्षा पाना कम-से-कम 6-14 आयु समूह के बच्चों का मौलिक अधिकार बन चुका है।** यह इसलिए चूँकि अन्य कोई भी विकल्प समानता और सामाजिक न्याय सुनिश्चित नहीं करते।
- 2) केवल ऐसी ही प्रारंभिक शिक्षा दी जा सकती है जो संविधान के अनुरूप एक **लोकतांत्रिक, समतामूलक, धर्मनिरपेक्ष एवं प्रबुद्ध समाज के निर्माण** के लिए कारगर हो। कोई भी शिक्षा व्यवस्था या पाठ्यचर्या जो ऐसे समाज के लिए सक्षम नागरिकता का निर्माण नहीं करती वह मौलिक अधिकार का उल्लंघन करेगी।
- 3) अनुच्छेद 21(क) के चलते किसी भी स्कूल द्वारा — चाहे वह सहायता-विहीन निजी स्कूल ही हो — 6-14 आयु समूह के बच्चों से **फीस या अन्य किसी भी प्रकार का शुल्क/चार्ज लेना गैर-संवैधानिक होगा।** अब निजी स्कूलों के पास केवल दो विकल्प बचे हैं — पहला, वे मुफ्त प्रारंभिक शिक्षा देने के लिए समाज से धन बटोरें; दूसरा, वे सरकार से अनुदान लें।
- 4) समतामूलक गुणवत्ता की प्रारंभिक शिक्षा देना राज्य की संवैधानिक जवाबदेही है जिससे बरी होने के इरादे से सरकार संसाधनों की कमी का बहाना नहीं कर सकती। **संसाधनों के आबंटन में प्रारंभिक शिक्षा की तुलना में ऐसे किसी भी अन्य मद को प्राथमिकता नहीं दी जा सकती जो मौलिक अधिकार न हो।** इसका निहितार्थ है कि यदि संसाधन की कमी है तो राज्य की जवाबदेही है कि वह राष्ट्रमंडलीय खेल-2010, कॉर्पोरेट घरानों द्वारा लिए गये बैंक कर्जों की माफी एवं विशेष आर्थिक क्षेत्र ('सेज') के लिए सब्सिडी आदि पर रोक लगाकर प्रारंभिक शिक्षा के लिए निवेश करे चूँकि ऊपरोक्त में से कोई भी खर्च कॉर्पोरेट भारत का मौलिक अधिकार के लिए नहीं है।
- 5) सर्वोच्च न्यायालय के उन्नीकृष्णन फैसले के अनुसार अनुच्छेद 41 के तहत प्रारंभिक शिक्षा के अलावा **माध्यमिक व उच्च माध्यमिक शिक्षा एवं उच्च शिक्षा (तकनीकी व प्रोफेशनल शिक्षा समेत) भी मौलिक अधिकार के दायरे में आते हैं** लेकिन इस अधिकार

को राज्य अपनी आर्थिक क्षमता सीमाओं के मदेनजर ही देगा। माध्यमिक व उच्च माध्यमिक शिक्षा को खासतौर पर मौलिक अधिकार के दायरे में लाना जन आंदोलन का तात्कालिक एजेंडा बनना चाहिए चूँकि इसके बगैर बेहतर कैरियर और उच्च शिक्षा व प्रोफेशनल कोर्सों के सब दरवाजे बंद हैं। निःसंदेह, सामाजिक विकास का सवाल केवल कैरियर और कोर्सों का सवाल नहीं है। लेकिन जब तक वर्तमान जनविरोधी पूँजीवादी विकास का खाका हावी है तब तक शिक्षा को आगे बढ़ने की उपलब्ध तमाम संभावनाओं से जोड़ना मौलिक अधिकार का मुद्दा बनता है। दरअसल, उच्च शिक्षा व प्रोफेशनल संस्थानों में आरक्षण का मुद्दा तभी दलितों, आदिवासियों और अन्य पिछड़े वर्गों के लिए विकास के दरवाजे खोल सकता है जब इन वर्गों के बच्चों को समान स्कूल प्रणाली के खाके में समतामूलक माध्यमिक व उच्च माध्यमिक शिक्षा पाने का मौलिक अधिकार मिल जाए। इस दृष्टि से अनुच्छेद 21(क) में संशोधन करके “18 वर्ष आयु तक के सभी बच्चों” को मुफ्त और अनिवार्य शिक्षा का मौलिक अधिकार दिलाना और वह भी बिना किसी शर्त के, जनता की अगली लड़ाई होगी।

9.0 शिक्षा के अधिकार और समान स्कूल प्रणाली पर नये हमले

देश की शिक्षा नीति व व्यवस्था पर वैश्वीकरण के कारण हुए दुष्प्रभावों का विवरण ऊपर दिया गया है। लेकिन विगत 2-3 वर्षों में वैश्विक बाजार की ताकतों के हौसले सब हदों को पार कर रहे हैं। इसलिए शिक्षा के अधिकार और समान स्कूल प्रणाली पर हो रहे निम्नांकित नये हमलों को पहचानना जरूरी हो गया है।

- शिक्षा के अधिकार का विधेयक बनाने के लिए हाल में जो बहस चली है उसमें समान स्कूल प्रणाली और पड़ोसी स्कूल की अवधारणा को हाशिए पर धकेलने के लिए एक नया शगूफा छोड़ा गया — निजी स्कूलों में पड़ोस के कमजोर तबके के बच्चों के लिए **25 प्रतिशत आरक्षण का शगूफा**। सारी बहस समान स्कूल प्रणाली और पड़ोसी स्कूल के महत्वपूर्ण मुद्दे से हटकर निजी स्कूलों के मालिकों की दिक्कतों, वहाँ के अभिजात माहौल में गरीब व पिछड़ी जातियों के बच्चों को आनेवाली सांस्कृतिक व मनोविज्ञानी परेशानियों और ऐसे आरक्षण के लिए संसाधनों के स्रोतों पर फोकस हो गयी। यह मुद्दा गौण हो गया कि यदि इस प्रावधान के अनुसार 25 प्रतिशत गरीब बच्चे पड़ोस से आयेंगे तो जाहिर है कि **75 प्रतिशत फीस देनेवाले संपन्न बच्चे पड़ोस से नहीं आयेंगे** — तो फिर यह बराबरी हुई अथवा खैरात? क्या संपन्न बच्चों से फीस लेना अनुच्छेद 21(क) का उल्लंघन नहीं होगा? इससे भी बड़ा सवाल ते यह है कि इस प्रावधान से कितने गरीब बच्चों को लाभ मिलने की उम्मीद है। आज देश भर में प्रारंभिक स्तर पर निजी स्कूलों (मान्यता-विहीन स्कूलों समेत) में दर्ज बच्चे कुल दर्ज संख्या का बमुश्किल 20 प्रतिशत हैं। यानी तमाम निजी स्कूलों की प्रारंभिक शिक्षा देने की क्षमता 6-14 वर्ष आयु समूह के कुल 20 करोड़ बच्चों में से मात्र 4 करोड़ बच्चों की है। यदि निजी स्कूलों की इस क्षमता का पड़ोस के 25 प्रतिशत कमजोर तबके के लिए आरक्षित कर दिया जाये तो इससे लाभान्वित होने वाले बच्चों की संख्या 1 करोड़ से अधिक की नहीं हो सकती। तो शेष 19 करोड़ बच्चों के मौलिक अधिकार का क्या होगा? जाहिर है

कि 25 प्रतिशत आरक्षण के प्रावधान का न तो शिक्षा के अधिकार से कोई संबंध है, न समान स्कूल प्रणाली से और ना ही 86वें संशोधन के अनुरूप शिक्षा प्रणाली के पुनर्निर्माण से। तब भी न केवल नीति निर्माण करनेवाला राजनैतिक नेतृत्व एवं सरकारी अधिकारी लेकिन पूरा मीडिया, बाल अधिकारों के नाम पर सक्रिय गैर-सरकारी संगठन और यहाँ तक कि न्यायपालिका भी इसमें ऐसी उलझी हुई है जैसे कि मौलिक अधिकार का सारा दारोमदार इसी 25 प्रतिशत आरक्षण में है। शायद इसलिए क्योंकि इसके चलते शासक वर्ग के पक्ष में खड़ी देश की आर्थिक व्यवस्था और अन्य सुविधाओं में कोई परिवर्तन नहीं करने पड़ेंगे और साथ में शिक्षा के निजीकरण व बाजारीकरण की रफ्तार भी यथावत बनी रहेगी।

- जून 2006 में योजना आयोग ने 11वीं पंचवर्षीय योजना का दृष्टिपत्र जारी किया। इसमें अचानक बगैर किसी शैक्षिक विमर्श के **वाउचर प्रणाली** का प्रस्ताव रखा गया। वाउचर प्रणाली क्या है? इसके अनुसार कमजोर तबके के बच्चों को (कितने बच्चों को, यह नहीं बताया) वाउचर दे दिये जायेंगे जिसको लेकर ये बच्चे जिस भी निजी स्कूल में प्रवेश पा लें, उसकी फीस सरकार अदा कर देगी। यह कोई नहीं बता रहा कि क्या ये वाउचर 20 करोड़ बच्चों को दिये जायेंगे। ना ही यह बताया जा रहा है कि इन वाउचरों के जरिए किसी निजी स्कूल की फीस के कितने बड़े अंश का भुगतान किया जायेगा। क्या यह वाउचर कैपीटेशन फीस, भवन विकास फंड और अभिजात तर्ज पर आयोजित वार्षिक पिकनिक/डांस के खर्च का भी भुगतान करेगा? और उस स्थिति में क्या होगा जब अलग-अलग निजी स्कूलों की फीस अलग-अलग होगी? यह भी कोई नहीं बता रहा कि **वाउचर प्रणाली कई देशों में असफल हो चुकी है।** हाल में कुछ लोग वाउचर प्रणाली की जगह निजी स्कूलों में 25 प्रतिशत आरक्षण का शगूफा छोड़कर मौलिक अधिकार की बहस को भ्रमित करने की कोशिश में हैं। योजना आयोग की इस मुद्दे पर अस्पष्टता या चुप्पी की एक ही व्याख्या हो सकती है - **वाउचर प्रणाली निजी स्कूलों को पिछले दरवाजे से सरकारी धन उपलब्ध कराने और वैश्विक बाजार को संतुष्ट करने का नायाब तरीका है।**
- जैसा कि ऊपर बताया है कि विगत 15 वर्षों में वैश्वीकरण के तहत **सरकारी स्कूल प्रणाली को ध्वस्त करने की नीति लागू की गयी।** इसमें जब काफी सफलता मिल गयी तो विश्व बैंक और बाजार की अन्य ताकतें विभिन्न सहचर गैर-सरकारी एजेंसियों के जरिए **तथाकथित शोध-अध्ययन आयोजित करके ऐसे आँकड़े पैदा करवा रही हैं** कि किसी तरह सिद्ध हो जाये (यानी भ्रम फैल जाए) कि सरकारी स्कूल एकदम बेकार हो चुके हैं और इनको बंद करना ही देश के हित में होगा। आये दिन रिपोर्टें छप रही हैं यह बताते हुए कि सरकारी स्कूल कितने बदहाल हैं, सरकारी स्कूलों में शिक्षक नहीं हैं, यदि हैं तो वे पढ़ाते नहीं हैं और वहाँ जाने वाले विद्यार्थी न लिखना जानते हैं और न हिसाब करना। **कोई रपट यह नहीं बताती कि इन स्कूलों के ये बदहाल कैसे हुए और इस प्रक्रिया में देश के शासक वर्ग एवं बाजार की ताकतों की क्या भूमिका रही है।**

10.0 छह विचारणीय प्रश्न

1. क्या हमारा संविधान किसी ऐसी शिक्षा प्रणाली की इजाजत देता है जो गैर-बराबरी और सामाजिक अन्याय फैलाए? क्या संविधान की प्रस्तावना, मौलिक अधिकारों एवं राज्य के नीति-निर्देशक सिद्धांतों का उल्लंघन करनेवाली शिक्षा देना देश के हित में होगा? क्या शिक्षा को संवैधानिक खाके के बाहर चलाया जाना चाहिए?
2. क्या शिक्षा, बाजार में खरीद-फरोख्त की वस्तु बननी चाहिए? ज्ञान के चरित्र का निर्धारण दो प्रकार से हो सकता है — क) मुनाफा बढ़ाने के लिए वैश्विक बाजार की ताकतों द्वारा और ख) लोकतांत्रिक, धर्मनिरपेक्ष, समतामूलक एवं प्रबुद्ध समाज हेतु सचेत नागरिकता का निर्माण करने के लिए संवैधानिक प्रक्रिया द्वारा जिसमें विधायिका की प्रमुख भूमिका होगी। आप इन दोनों में से किसको पसंद करेंगे?
3. अनुच्छेद 21(क) के तहत आठ वर्ष की प्रारंभिक शिक्षा को मौलिक अधिकार का दर्जा मिलने के बाद कम-से-कम कक्षा 1-8 के स्तर पर किसी भी स्कूल — चाहे वह सहायता-विहीन निजी स्कूल ही हो — के द्वारा फीस या अन्य कोई भी चार्ज लेना व मुनाफा कमाना गैर-संवैधानिक नहीं होगा? क्या प्रारंभिक शिक्षा को विश्व व्यापार संगठन के पटल पर रखना संविधान का उल्लंघन नहीं होगा?
4. स्कूली शिक्षा की उक्त बदहाल हकीकत विश्व बैंक के द्वारा प्रायोजित डी.पी.ई.पी. और सर्व शिक्षा अभियान के बावजूद है। अब क्या किसी और स्कीम या प्रोजेक्ट का इंतजार है? अगली अर्ध-शताब्दी के लिए? या फिर आप इस विषयमूलक बहु-परती स्कूल प्रणाली की जगह पड़ोसी स्कूल की अवधारणा पर टिकी हुई समतामूलक 'समान स्कूल प्रणाली' स्थापित करने के लिए कदम उठाना चाहेंगे?
5. संविधान द्वारा 'राज्य' की जो परिभाषा दी गयी है उसमें केंद्र व संसद, राज्य सरकारें व विधायिकाएं एवं सभी स्थानीय निकाय आते हैं। शिक्षा नीति और व्यवस्था के निर्माण में इस 'राज्य' की क्या भूमिका होनी चाहिए? या फिर हम भारतीय 'राज्य' की जगह वैश्विक बाजार को स्थापित होने दें? यदि वैश्विक बाजार का वर्चस्व मंजूर है तो फिर भारतीय संविधान और 'राज्य' की क्या भूमिका बच जाती है? और भारत की संप्रभुता का क्या होगा?
6. क्या भारत के पास पूर्व प्राथमिक से लेकर 12वीं तक की समतामूलक गुणवत्तापूर्ण शिक्षा देने और उम्दा उच्च शिक्षा की सुविधाओं को सर्वसुलभ बनाने के लिए वित्तीय संसाधनों की कमी है? यदि यह कमी होती तो कार्पोरेट घरानों का कर्ज माफ करने, सन् 2010 में राष्ट्रमंडलीय खेल आयोजित करने एवं विशेष आर्थिक जोन ('सेज') हेतु सब्सिडी देने के लिए हर वर्ष दसियों हजार करोड़ रुपयों की विपुल धनराशि कहाँ से आती है? सवाल संसाधनों की कमी का है या फिर राष्ट्रीय अर्थव्यवस्था की प्राथमिकताओं को बदलने का है?

11.0 ज्ञान अर्थव्यवस्था का चरित्र

आज ज्ञान अर्थव्यवस्था बनाने की व्यापक चर्चा हो रही है। यह कोई नयी अवधारणा नहीं है। ज्ञान, पाषाण युग से ही मानव विकास एवं अर्थव्यवस्था की प्रगति का आधार रहा है। लेकिन हमारे संदर्भ में यह अर्थव्यवस्था दो प्रकार की हो सकती है। एक वह अर्थव्यवस्था है जिसमें भारत विकसित मुल्कों द्वारा पैदा किए जा रहे ज्ञान को खरीदेगा और फिर उसकी भौंडी नकल करके अपने से कम विकसित मुल्कों को बेचेगा। इस ज्ञान का मुख्य चरित्र शोषणकारी, हिंसक एवं वर्चस्वपूर्ण होगा जैसा कि औपनिवेशिक शिक्षा का रहा है। दूसरी वह

अर्थव्यवस्था है जिसमें भारत, अपने सामाजिक विकास की जरूरतों के अनुसार ज्ञान का सृजन करने में स्वयं सक्षम बनेगा और उसका उपयोग व्यापक जनहित एवं विश्व शांति की प्रक्रिया को बढ़ावा देने के लिए कर सकेगा। इस ज्ञान का केंद्रीय चरित्र **कल्याणकारी, अहिंसक एवं मुक्तिदायक** होगा।

दरअसल, शिक्षा की मुख्य लड़ाई सिर्फ समतामूलक गुणवत्ता की शिक्षा सबको उपलब्ध कराने और इस मकसद से उसका निजीकरण व बाजारीकरण रोकने मात्र की नहीं है। **असली लड़ाई तो शिक्षा में निहित ज्ञान के चरित्र — राजनैतिक, सामाजिक एवं सांस्कृतिक — पर नियंत्रण की है।** आप तय कीजिए कि आप कैसा भारत और उसके जरिए कैसी दुनिया चाहते हैं और इसके निर्माण के लिए आप कैसी ज्ञान अर्थव्यवस्था विकसित करना चाहेंगे? ज्ञान के इस 'संघर्ष और निर्माण' में भारत की जनता की क्या भूमिका होगी? आज देश के विभिन्न अंचलों में वैश्वीकरण की मार सह रही मेहनतकश लेकिन गरीब जनता जल-जंगल-जमीन के तीन संसाधनों को अपने अस्तित्व के लिए आवश्यक मानकर संघर्ष कर रही है। इस संघर्ष में **समतामूलक गुणवत्ता की शिक्षा और उसमें निहित ज्ञान को चौथे संसाधन के रूप में जोड़ने** के सवाल पर व्यापक विमर्श विकसित करने की जरूरत है। इसी संघर्ष के जरिए ही यह संभव होगा कि हम भारत की शिक्षा का पुनर्निर्माण आम जनता के हित में कर पायेंगे। तभी वैश्विक शांति के लिए — न कि वैश्विक बाजार द्वारा शोषण, मुनाफे और वर्चस्व बढ़ाने के लिए — जनोन्मुखी ज्ञान अर्थव्यवस्था खड़ी हो पायेगी। तभी संविधान निर्माताओं का भारतीय 'राज्य' की लोक कल्याणकारी भूमिका और इसके लिए आवश्यक शर्त के रूप में भारत की संप्रभुता का सपना साकार हो पायेगा।

WORLD BANK'S POLICIES RELATING TO SCHOOL EDUCATION IN INDIA¹

Basic Perspective Papers:

1. 'Right to Education, State and the Neo-Liberal Assault' [Hindi version: '*Shiksha ka Adhikar, Rajya aur Nav-udavadi Akraman*'] (February 2007)².
2. 'An Overview of Higher Education' (February 2007)³.

A. Policy Reflections: Issues Related to Neo-Liberal Agenda of Education

The doors of Indian economy were formally opened to the neo-liberal agenda with Govt. of India's declaration of New Economic Policy in 1991. However, let us recognize, the global market forces, led by the powerful USA and represented by the World Bank, had started operating in India quietly much earlier. From 1985-86 onwards, there are definite signs of the presence of their advocates at the highest echelons of Indian government, including Prime Minister's office, and their agenda having an impact on the formulation of Indian policies. We briefly examine the education policy from this standpoint.

In National Policy on Education-1986 (NPE-1986) and its Programme of Action-1986 (POA-1986) itself, we can identify the following trends that reflected World Bank's thinking which became evident later in 1990s when the high profile Total Literacy Campaigns and District Primary Education Programme (DPEP) became the face of education policy:

- The holistic goals of education for social development were being trivialized. Education was being increasingly viewed as literacy and numeracy to the extent that (a) *literacy* campaigns became synonymous with *educational* campaigns; and (b) literacy rate became the dominant (sometimes the sole) parameter for measuring or assessing educational progress (it is like turning the parameter into the goal itself!). This became true for the political leadership as well as the discourse in public fora like Legislatures, media, academia and the fund-driven NGO sector. What started as a hesitant exercise in the late 1980s became the dominant policy theme in 1990s, diverting political attention away from both school and higher education and obscuring critical issues of policy collapse.

¹Prepared by Prof. Anil Sadgopal – a Founder-Member of the People's Campaign for Common School System (PCCSS) - for submission to the World Bank Tribunal, New Delhi (21-24 Sept. 2007).

²Submitted to the World Bank Tribunal and published by PCCSS in its Report of the Conference on Right to Education and Common School System held at Indian Social Forum, New Delhi (November 2006).

³Prepared jointly by Madhu Prasad and Dr. Dinesh Abrol – Founder-Members of the People's Campaign for Common School System – and submitted to the World Bank Tribunal, New Delhi (21-24 September 2007); available on World Bank Tribunal's Blog <http://worldbankout.blogspot.com/>

- In order to mould education for the purposes of the market, the curricular planning, textbook writing and student assessment were circumscribed by mechanical and educationally unsound concept such as Minimum Levels of Learning (MLL). Advocating a non-holistic view of curriculum fragmented into marketable competencies, MLLs were introduced by the Ministry of HRD⁴ in 1990 in the most undemocratic and secretive manner. This was among the earliest instances, later to become a practice, of policy decisions being taken without democratic consultation with Indian educationists or debate at legitimate fora like the Parliament, Central Advisory Board of Education (CABE) or even NCERT⁵. Public criticism of the MLL concept pointed out the danger involved in its behaviouristic approach and the de-linking of the cognitive from the affective domains. Yet, the market-oriented concept of MLL was spread in a great hurry as a nation-wide programme in early 1990s with the agenda of re-defining the notion of knowledge inherent in curriculum. World Bank's District Primary Education Programme (DPEP) from 1993-94 onwards strongly advocated MLL for planning curriculum, student assessment and teacher education, ignoring the emerging academic criticism within the country.⁶ Later, European Commission and UN-funded primary education programmes, conducted within the World Bank framework, continued to work on the same questionable theoretical premises. The MLL story tells why we must not underestimate the neo-liberal agenda of influencing the character of knowledge in school curriculum in order to prevent critical thinking and orient public mind in favour of consumerism and the market economy.
- In March 1990, India signed the '*World Declaration on Education For All and Framework For Action To Meet Basic Learning Needs*' adopted at the 'World Conference on Education for All: Meeting Basic Learning Needs', held at Jomtien, Thailand under the joint sponsorship of three UN agencies (UNDP, UNESCO & UNICEF) and the World Bank. This declaration – later to be called the Jomtien Declaration – became the chief 'Strategic Document' of the neo-liberal forces in school education. It laid the foundation for the entry of the World Bank intervention by pro-actively advocating international aid for *primary* (not *elementary*) education in the developing countries, making it unnecessary for them to mobilize resources by re-prioritising national economies. The Jomtien Declaration gave a call for international financing of primary education as a Social Safety Net – a small compensation for the substantial withdrawal of state funding under Structural Adjustment. Indeed, this

⁴This exercise was pushed by a retired Director (a NRI) of the UNESCO Institute of Education, Hamburg, Germany.

⁵Although the NCERT was made to publish Ministry's report on MLLs, it did not advocate this idea until the National Curriculum Framework was re-written in 2000 under the NDA government. By this time, the neo-liberal agenda had started dominating the thinking of the Indian ruling class.

⁶Dhankar, Rohit (2000), *Seeking Quality Education: In the Arena of Fun and Rhetoric*, in *Seeking Quality Education for All: Experiences from the District Primary Education Programme*, Occasional Papers, The European Commission, June 2002; *Lessons to Learn*, Seminar, No. 436, December 1995.

amounts to rationalization of the pre-condition of Structural Adjustment. A critique of the Jomtien Declaration is separately available.⁷

- NPE-1986, along with POA-1986, introduced several retrogressive policy measures in Indian education. These measures of the late 1980s were either later echoed in World Bank's interventions in 1990s or paved the way for the neo-liberal agenda of Structural Adjustment or both. Apart from this, several of these notions were rooted in the premises also articulated in the Jomtien Declaration.
- The 1986 policy was severely criticized by students' and teachers' organizations and other public bodies for its "elitist aberrations" which will lead to exacerbation of inequality, privatization and lack of commitment to increase public investment in education to reach the level of 6% of GNP, as recommended by the Kothari Commission. Under this pressure, the Central Govt. (with Shri V.P. Singh as the Prime Minister)⁸ constituted NPE-1986 Review Committee (known as Acharya Ramamurti Committee) to rectify these aberrations and recommend policy reforms. The Committee's Report (December 1990) recommended a radical re-structuring of the entire school system in order to build a Common School System, eliminate inequalities and to increase public funding of education to reach the level of 6% of GNP. These recommendations could not be assimilated in the neo-liberal agenda. Having decided to move towards globalized economic order, therefore, it became necessary for the newly elected Central Government in 1991 (with Shri Narasimha Rao as the Prime Minister and Dr. Manmohan Singh as the Union Finance Minister) to neutralize the report. Within three weeks of the announcement of the New Economic Policy in July 1991, the Ministry of HRD (headed by Shri Arjun Singh as the Union Minister) constituted the CAGE Committee on Policy to examine the Acharya Ramamurti Committee Report. In its report (1992), the said CAGE Committee rejected almost all the critical recommendations of the Acharya Ramamurti Committee Report aimed at modifying the 1986 policy. Instead, minor modifications were suggested, mostly relating to shifting of the target dates to take care of the failure to implement the policy measures during the previous five years. Having got rid of this obstacle, this CAGE Committee

⁷Sadgopal, Anil (2006), *A Post-Jomtien Reflection on the Education Policy: Dilution, Distortion and Diversion*, in *The Crisis of Elementary Education in India* (Ed. Ravi Kumar), SAGE Publications, New Delhi.

⁸While the decision to review the 1986 policy by the V.P. Singh's government must be acknowledged as a progressive measure, two contradictory facts need to be recorded in this context. First, it is under the same government in March 1990 that GoI signed on the dotted lines of Jomtien Declaration sponsored by World Bank and UN agencies. Second, the CAGE Committee on Policy, chaired by a Congress Chief Minister, which rejected the Acharya Ramamurti Committee report had the representation of VP Singh's own Janata Dal's state Minister of Education from Bihar as a member, apart from the concerned Ministers from CPI (M) government in West Bengal, BJP government in M.P. and others. Later, the CAGE Committee's report as well as the minor modifications of NPE-1986 were unanimously approved by all political parties in the Parliament! This phenomenon was repeated time and again during the next 15 years, particularly when the 86th Constitutional Amendment Bill in 2001-02 designed to dilute the impact of Supreme Court's Unnikrishnan Judgement received unanimous consent of all the political parties.

exercise thus fulfilled the purpose for which it was constituted viz. to clear the path for neo-liberal agenda in education in the post-globalisation India.

- It may be noted that the policies of the World Bank and UN agencies generally overlapped and complemented each other, both influencing Indian policies and programmes in the same direction. As evidence, one may cite, apart from Jomtien Declaration of 1990, the Dakar Framework (2000) and UN's Millennium Development Goals (2001) which were adjustments within the World Bank framework and rooted in identical educational premises.
- A noteworthy feature of the World Bank's intervention (including UN-sponsored programmes/ projects) has been its utmost lack of accountability. A farce of high profile and expensive Joint Review Missions (JRMs) was built up in DPEP for the past 15 years whose cost is also charged to the loan account but whose methodology and reports have never been subjected to public scrutiny.⁹ At the end of the project duration, both the World Bank and the governments (Centre and/or state) quietly move on to the next project without ever publicly assessing how far the original objectives have been achieved and, in case of failure, objectively analysing the causes thereof.
- As the World Bank-sponsored DPEP's project duration started coming to an end just before the Tenth Plan, the central government designed the much-hyped Sarva Shiksha Abhiyan (SSA) which has re-packaged all the major policy misconceptions and fault lines of DPEP under a new label and continued without any credible policy or programme review of DPEP. The same tendency is still dominant. With the SSA about to end in 2010, the Planning Commission has decided to continue SSA at elementary stage in the Eleventh Plan without a public review of its now predictable failure in most states to achieve its objective of universalisation of elementary education and elimination of educational disparities relating to gender, caste and other disabilities. Not just this, the Planning Commission is seriously deliberating to extend the misconceived SSA to the secondary stage as well. The long-term damage inflicted by the unaccountable and non-transparent World Bank practice on Indian educational planning should be a matter of deep public concern since all this will eventually add to the indebtedness of the future generations without resulting in educational progress.

⁹Even the MoU signed between the World Bank and Govt. of India has never been made public. Reportedly, in 1997-98, a Rajya Sabha M.P. who was a member of the Ministry of HRD-Related Parliamentary Standing Committee demanded a copy of this 'secret' document but was denied access by the concerned Minister chairing the meeting. In April-May 2007, the Common School System Commission, constituted by the Bihar Govt. failed to get access from the Bihar Shiksha Pariyojana Parishad (the parallel body created under UNICEF-sponsored Bihar Education Project and later funded by the World Bank) to the conditionalities governing the erstwhile DPEP (called BEP in Bihar) and its key JRM review reports.

B. Broad Features of the Neo-Liberal Agenda¹⁰

The impact of neo-liberal agenda on the Indian education policies must not be underestimated. Education is no more viewed as a tool of social development but as an investment for developing human resource and global market (see Ambani-Birla Report's Foreword, GoI, 2000). This innocuous looking statement of the purpose of education amounts to a major paradigm shift. The dominant features of education with serious epistemic (i.e. knowledge-related) and associated implications which emerge out of this paradigm shift, may be identified as follows:

- trivialisation of the goals of education e.g. confusing education with merely literacy or skills;
- fragmentation of knowledge, as was done in Minimum Levels of Learning;
- alienation of knowledge from its social ethos and material base;
- increasingly dominant role of the global market forces in determination of the character of knowledge;
- institutionalisation of economic, technological and socio-cultural hegemony of the international instruments in the formulation of curriculum e.g. space being given to World Bank, UN agencies, corporate houses and their foundations, foreign universities and externally funded researches and projects in decision-making;
- introduction of parallel and hierarchical educational streams for different social segments;
- marginalisation of poor children and youth as well as the backward regions through competitive screening and a discriminatory system of institutional assessment and accreditation; and
- attrition of the State-supported and democratic structures for educational planning, finance allocation and management.

C. Impact of World Bank's Policies on the Education System

The deleterious impact of the Structural Adjustment Programme on Indian education by exacerbating inequality and exclusion of the masses from the benefits of education and its hidden agenda of promoting privatization and market control over knowledge have been discussed in details in the Basic Perspective Paper referred to above. Keeping this in mind, the following retrogressive policy changes under the influence of the World Bank intervention (supported by UN agencies) may be cited (ref.: Jomtien Declaration, 1990; DPEP Guidelines, 1995, 1997; Dakar Framework, 2000; UN's Millennium Development Goals, 2001):

¹⁰Extracted from the Basic Perspective Paper on education entitled, "Right to Education, State and the Neo-Liberal Assault" (February 2007).

C.1 General and Conceptual Impact

- i) The goal of education is neither social development nor building a democratic, egalitarian, secular and enlightened society. Instead, education is an instrument for promoting consumerism and market control over knowledge and public mind such that every human being becomes a 'useful' resource for the global capital.
- ii) Knowledge is not a heritage of humankind meant for maximizing human welfare but a saleable commodity for profit, control and subjugation.
- iii) Educational development shall not be guided by the framework of either Universal Human Rights or Fundamental Rights under the Indian Constitution but by the market framework.
- iv) The State should steadily abdicate its Constitutional obligation towards education and let market become unregulated "service provider" of education at all levels from pre-primary to higher and professional education.
- v) Schools, colleges and universities are "service providers" and students their "consumers". In this "Provider-Consumer" relationship, every student must eventually pay "user charges" which implies full cost of the "service".
- vi) Education of equitable quality can't be the goal of educational planning. Instead, the quality of education shall be determined by the capacity of the student to pay.
- vii) The notion of a common space for children from diverse and disparate backgrounds to socialize together and grow together is neither desirable nor feasible.
- viii) The State, for the time being, may bear the cost of elementary education for those who can ill-afford it but it should definitely begin to withdraw support from secondary education and has no reason whatsoever to support higher or professional education which can be taken care of by the market.
- ix) In higher education, only those disciplines need to be supported through public funding which, at present, do not have any market value. The disciplines which have a market value need no public support as market promote these disciplines for profit. This implies that let profit determine the character of knowledge in most of the disciplines of science, social science and humanities. Neither epistemological needs of the discipline nor human welfare will be allowed to determine the character of knowledge any more.
- x) Jomtien Declaration's insistence on developing only "observable and measurable targets" have been used to trivialize the goals of education and distort the curriculum and pedagogy in violation of the spirit of the Constitution. This behavioural and theoretically untenable prescription of the Jomtien Declaration is what was reflected in the MLLs (advanced simultaneously) and later in DPEP and SSA.
- xi) In the name of social responsibility, the Jomtien Declaration has provided for the State to 'devolve' responsibility to NGOs, private companies and even

religious bodies. In the context of the fund-driven nature of NGOs and rising religious fundamentalism, this stance of the Jomtien Declaration has dangerous implications.

C.2 Specific Impact

- i) The school system shall not be re-structured to build a Common School System functioning through Neighbourhood Schools. Instead, a multi-layered school system shall be built-up, each layer according to the socio-economic status of the child's family or her cultural – i.e. religious and linguistic – background.
- ii) Public expenditure on education, as percentage of national income, shall be steadily reduced over the years. Fig. 1 shows that the public expenditure on education as percentage of GDP has been declining steadily for the past 15 years since 1990 except for a two-year period from 1999-2001 (Source of data for Fig. 1: Analysis of Budgeted Expenditure on Education for Various Years, Ministry of HRD, Govt. of India). The level of expenditure as % of GDP in 2005-06 was as low as it was before 1986 policy. This decline took place *despite the levying of 2% educational cess by the UPA government and almost one-third of finance for SSA coming from international financing agencies, including World Bank*. Clearly, the conditionality of Structural Adjustment prevailed over both the 1986 policy passed by the Parliament or UPA's National Common Minimum Programme resolving to increase investment to the level of *at least 6% of GDP*. The political will of the Indian State to mobilize resources by reprioritization of Indian economy could not have been worse than what it is today.

EDUCATIONAL EXPENDITURE AS % OF GDP

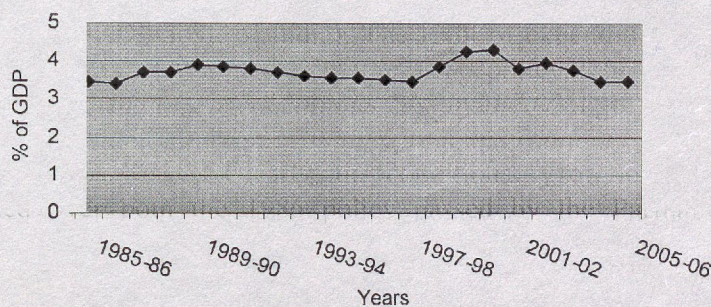


Figure 1

- iii) Decreasing public expenditure will mean gradual deterioration of infrastructure, poor pupil:teacher ratio, lack of textbooks and teaching aids and also fall in the standards of teacher training institutions. This will predictably result in low learning levels which the World Bank and NGOs like PRATHAM (see ASER Report, Mumbai, January 2006) have promptly documented as if they were waiting for the evidence of poorly functioning government schools to appear. Even the poor parents will then be compelled to shift their children from government schools to low quality 'English-medium' private schools charging modest fees. When enrolment in government schools falls below the acceptable level, the government itself will declare them to be unviable and their assets will be handed over either to NGOs/Trusts/corporations to run schools for profit or to other commercial interests such as for setting up shopping malls. Ironically, there are reports available of government schools buildings being turned into police stations to control "lumpen" elements who lost direction in their lives most probably for being denied relevant education as a consequence of Structural Adjustments.
- iv) In order to fulfill the above objective of privatisation, the government shall resist all public pressure for legislative action to set minimum Norms and Standards or for instituting a credible system of monitoring and regulation of schools – government or private. This is the logic behind the central government's refusal to pass the law for implementing Fundamental Right to Education as required under Article 21A of the Constitution.¹¹
- v) The existing regulatory laws shall be gradually either diluted or withdrawn all together. No new laws shall be passed.
- vi) In the case of urban government schools located on land carrying high market value, a "direct" policy shall be adopted to privatize their assets, even without waiting for the deterioration of their quality of education and consequent fall in enrolment.
- vii) Primary Education of five years or less is the desired end objective for the children of the masses and this should replace Elementary Education of eight years, guaranteed under the Constitution.
- viii) Only those children who are either high 'performers' or 'achievers' in competencies needed by the market or those whose families can afford to pay the cost of education shall be allowed to proceed beyond primary education. For the rest, access will be confined to vocational skills so that they can serve the needs of a hierarchically controlled market-driven society.

¹¹In spite of certain internal contradictions, the Report of the Common School System Commission (June 2007), submitted to the Bihar state government, has recommended certain minimum Norms and Standards for all schools – government or private – and proposed a law under Article 21A to ensure this and their contingent obligations under the Constitution. This is precisely the litmus test for the state government. In view of the state government's powerlessness to resist the neo-liberal policies, it is unlikely that this key recommendation of the Commission will ever see the light of the day. Nothing less than a powerful social movement is needed to compel the state government to counter the neo-liberal agenda.

- ix) Parallel layers of education of varying quality such as non-formal centres, alternative schools, education guarantee centres and multi-grade teaching, shall be the only educational facilities provided to more than half of India's children. SSA, patterned after World Bank's DPEP, is designed to achieve precisely this.
- x) Public-funded teacher training institutions shall also be allowed to deteriorate and replaced by private institutions. Well trained teachers shall be available only for private schools. Regular trained teachers in government schools shall be replaced by under-qualified, untrained and under-paid 'Para Teachers' appointed on short-term contracts. This, too, is the guiding theme of SSA.
- xi) Programmes like Bridge Courses and 'Back-to-School Camps', as provided for in SSA, shall be encouraged for the present as "lollipops" for the masses, even though they do not provide access to functioning schools.
- xii) In the name of 'English-medium' schools, the majority of the children will be deprived of the power to articulate their thoughts in either their mother tongue or English, thereby resulting in lack of subject knowledge, critical thinking, creativity and, therefore, also general democratic consciousness. Ironically, this would not have been the case if they remained out-of-school altogether and were allowed to build upon their indigenous knowledge and skills and inherent class consciousness. Given this inferior quality education, the only option for them will be to acquire some marketable vocational skills and join the exploitable skilled work-force in the global market.
- xiii) Those who manage to cross senior secondary education will be able to access higher/professional education only with bank loans. In order to be able to return the loan following completion of education, they, too, will be compelled to mechanically contribute to corporate growth without reflecting upon either the purpose of such growth or the people benefiting therefrom. The goal of having an intellectual, creative and technologically competent segment of society but entirely subservient and ideologically co-opted could not have been more perfectly achieved!
- xiv) Parallel institutional structures for financing and managing education shall be insisted upon and created *outside* the government such that the State's role may be made superfluous over a period of time. This can be seen in almost every state that earlier received DPEP funding but now continuing as SSA. The central government went to the extent of even creating a private company called Ed.CIL in mid-1990s to manage certain key aspects of the World Bank and other internationally funded programmes in education.
- xv) Using the rhetoric of decentralization and people's participation, the legitimate functions of the government shall be hurriedly 'devolved' to the Panchayati Raj Institutions and other local bodies without ensuring that (a) the government's obligation for adequate financing of education is fulfilled; (b) the local bodies have the necessary vision, administrative acumen or the legal powers to meet even the minimum challenges; and, more importantly, (c) the caste-ridden, patriarchal and generally retrogressive character of these bodies

will not be counter-productive to the needs of progressive education. While resisting legislation to guarantee Fundamental Right to education of equitable quality and to institute a Common School System, the State shall have no hesitation whatsoever to legislate to transfer its Constitutional obligations to the local bodies for which World Bank shall make available both direct and indirect funding. The real purpose of all this, however, is to dilute the role of the State and to enable the local bodies to *directly* negotiate and sign MoUs with World Bank and other allied international funding agencies. The process has already begun in several states and already paving the way for privatization of natural resources like land, forest and water. The next is the turn of about 11.5 lakh government schools when the local bodies in urban/rural areas shall be persuaded by the World Bank to transfer their assets for privatization.

D. Miniscule Investments and Disproportionate Influence

In spite of the high profile character of externally assisted educational projects such as DPEP funded by the World Bank and others (e.g. European Commission, Govt. of Netherlands, DFID-U.K. and UNICEF), the finance provided by them is miniscule, if not just plain ridiculous. From 1999-2000 to 2001-02, for example, when external assistance to DPEP was at its peak, the external assistance ranged between 0.039% and 0.052% of GDP respectively; for all externally assisted educational projects put together, it was only marginally higher (see Table 1a,b). Even as percentage of the total expenditure incurred on education by the Centre and states together, the external assistance ranged between 0.9% and 1.5%. Yet, as we have seen in the preceding paragraphs and in the Basic Perspective Paper on school education, the World Bank and other international agencies managed to dilute and distort both the Constitutional vision of education and the 1986 policy passed by the Parliament in a significant manner.¹² **What further evidence is required for the steady attrition of India's sovereignty that has been taking place since 1991 as a result of the space given to World Bank and its allied agencies to operate in an area as sensitive as education?**

Table 1 (a)
External Assistance to DPEP

Years	National GDP (Rs. in lakh crores)	Total Exp. on Education (Rs. in crores)	External Assistance (Rs. in crores)	External Assistance as % of GDP	External Assistance as % of Total Exp. on Education
1999-2000	17.62	74,816	682.8	0.039	0.91
2000-01	19.18	82,486	858.3	0.045	1.04
2001-02	20.82	79,866	1,100.0	0.053	1.38

¹²Since 1991, more than a dozen policies measures and/or schemes of education (including DPEP and SSA) have been instituted in the country which violate either the Constitution or contradict the 1986 policy. Yet, these have not been formally approved by the Parliament.

Table 1 (b)
Assistance to All Externally Aided Education Projects of MHRD*

Years	National GDP (Rs. in lakh crores)	Total Exp. on Education (Rs. in crores)	External Assistance (Rs. in crores)	External Assistance as % of GDP	External Assistance as % of Total Exp. on Education
1999-2000	17.62	74,816	729.1	0.041	0.97
2000-01	19.18	82,486	947.6	0.049	1.15
2001-02	20.82	79,866	1,210.0	0.058	1.52

*“All Externally Aided Projects” of the Ministry of HRD included, apart from DPEP, Shiksha Karni (Rajasthan), Mahila Samakhya (Gujarat, U.P., Bihar & Karnataka), Lok Jumbish (Rajasthan) and GoI-UN Programme (Selected Blocks).

Source: (i) Economic Survey 2002-03 to 2004-05, Ministry of Finance, Govt. of India.

(ii) Analysis of Budgeted Expenditure on Education, 1999-2000 to 2001-02 and the next two years, Ministry of HRD, Govt. of India, Analytical Table Nos. 1.

(iii) Tilak, JBG (2003), A Study on Financing of Education in India with a Focus on Elementary Education, South Asia EFA Forum, NIEPA, New Delhi, May 2003, Table 31.

The above disproportionate influence exercised by the World Bank and its allied international funding agencies required a strategy. Let us look at two strategies that have been instrumental in advancing the neo-liberal agenda in education. First, the quality of school education was made to deteriorate by diluting the norms relating to various critical parameters. The following comparison of the norms recommended by the Expert Group (1999) constituted by the Govt. of India under the chairpersonship of Prof. Tapas Majumdar and the SSA norms (one-third of SSA funds come from World Bank and allied international agencies) shows how Structural Adjustment conditionalities were dictating terms for educational planning.

Table 2

No.	Norms	Expert Group	SSA
1.	Pupil:Teacher Ratio	1:30	1:40
2.	Av. Monthly Salary of Teachers	Primary – Rs. 5,000 Upper Primary – Rs. 6,000	Rs. 3,000
3.	Enrolment in Private Schools	NIL	15%
4.	Parallel Layers of Inferior Quality Schools	NIL	A major role for EGS Centres
5.	No. of Additional Teachers Required	35.6 lakh	11.5 lakh
6.	Total No. of Classrooms Required	43 lakh	11 lakh
7.	Free Uniforms, Scholarships, DIETs	Provision made	Not provided

Table 2 (contd.)

No.	Norms	Expert Group	SSA
8.	Integrated Education Development: Cost per Disabled Child	Rs. 3,000	Rs. 1,200
9.	a) Grant per School	Primary – Rs. 3,000 Upper Primary – Rs. 5,000	Rs. 2,000
10.	b) Grant per Teacher	Primary – Rs. 500 Upper Primary – Rs. 700	Rs. 500
11.	(a) + (b): Financial Implication	Rs. 670 crores	Rs. 395 crores
12.	c) Teaching-Learning Equipment: Total Cost	Rs. 1,029 crores	Rs. 402 crores

Source: Tilak, JBG (2003), A Study on Financing of Education in India with a Focus on Elementary Education, South Asia EFA Forum, NIEPA, New Delhi, May 2003, Appendix A.1 and A.2.

The second strategy is probably the most significant and fundamental one. This emerges out of the "knowledge agenda" of the global market. We have referred above to several aspects of this strategy e.g. reducing education to literacy; introduction of competency-based MLLs that promote behaviourism and prevent critical thought, consciousness and creativity; establishing multi-layered school system that deprives more than half of nation's children of education of equitable quality; and withdrawing public funding from higher education and handing over several key disciplines to market control. For this purpose, the World Bank and its allied agencies have carefully funded research, project evaluation and appraisal, consultancy, publications and international exchange of academia in order to co-opt intellectuals in advancing the neo-liberal agenda, prevent generation of counter-knowledge and thereby subtly modulate the political economy of knowledge. The market control over generation, character, content and distribution of knowledge is certainly the most powerful method of controlling the public mind, policies and critique, thereby maintaining the hegemony of the global capital over world's natural and human resources. The people's movements need to decipher this epistemic challenge of the global market forces and imperialist globalization in order to not only resist it but also to build a political programme of liberative knowledge dedicated to human welfare.

Concluding Remarks

As pointed out above, the UN agencies have uncritically towed the World Bank policies, thereby acting as its human face. Generally speaking, all major internationally funded primary education programmes in India have pursued a common framework emerging out of the Jomtien Declaration (1990), further fortified by the Dakar Framework of Action (2000) and UN's Millennium Development Goals. This is why UN-funded Bihar Education Project (BEP) could be easily converted into the World Bank-funded DPEP (still called BEP) in 1997. Similarly the Lok Jumbish programme in Rajasthan funded by Swedish Aid was transformed into a World Bank-funded DPEP without much conceptual problems. Invariably, all of these internationally funded projects/programmes have implied dilution and distortion of the Constitutional vision of education, as discussed in

the Basic Perspective Paper on school education. Yet, the Indian State had no problem in accepting, adjusting and eventually colluding with this neo-liberal agenda. The following observation on the Jomtien Declaration is noteworthy:

“The language of the final document adopted by the Jomtien Conference merged human needs and market forces, moved education from governmental to social responsibility, made no reference to the international legal requirement that primary education be free-of-charge, introduced the term ‘basic education’ which confused conceptual and statistical categories. The language elaborated at Jomtien was different from the language of international human rights law.”

- Prof. K. Tomasevski (2001)
Special Rapporteur on the Right to Education
to United Nations Commission on Human Rights

[Note: The Dakar Framework of Action adopted by the Dakar Conference of the World Education Forum in April 2000 maintained the basic paradigm of the Jomtien Declaration.]

Even this stern observation by the Special Rapporteur on the Right to Education in her report to the UN Commission on Human Rights failed to shake up the conscience of either the World Bank or the UN agencies or, for that matter, of the Indian State. There is no evidence that the Indian State even noticed this chilling assessment of the paradigm that has dominated its policy making on education for the past 15 years. This then sets the contours of the struggle which the Indian masses have to engage with in order to move towards “*Sa Vidya Ya Vimuktaye*”.

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An Overview on Higher Education¹

The crisis in higher education is endemic. Higher education requires to be greatly expanded - currently only about 7% of the relevant age group is engaged in studies in institutions of higher studies. The necessary rate of expansion would only be possible with adequate public funding and regulation. In particular, the need to go beyond the elite and to provide access to a wider section of the country's population, means that such expansion cannot be expected from, or left to, private agencies. Yet public funding is being withdrawn from existing institutions and the pressure is on facilitating the entry of private players both local and foreign.

The impetus for the present strategy owes much to the World Bank report brought out in 1994. The report argues that developing countries do not require to invest funds in higher education as primary and secondary education should be their priority. Higher education is termed a 'private good' allowing the student-consumer to command a better market value for her skills. Hence it is claimed that governments are justified in leaving development of this sector in commercial, or private, hands as students will be paying for benefits that only they enjoy. This approach fails to appreciate the social necessity of a system of adequate, quality higher education. The capacity for critical, independent thought is both intellectually and democratically significant for a dynamic, independent and modern nation. Further the claim that elementary and secondary education have first priority is short-sighted: where would the trained personnel required for the success of universalised school education come from if not from the system of higher education? The present strategy of utilising the services of poorly paid, inadequately trained para-teachers engaged in multi-grade teaching (also a WB strategy for school education) clearly is no solution and exposes the WB approach which is aimed at creating 'alternate' streams instead of a strong national system of quality education envisaged during the freedom struggle and promoted by policy makers in the first three decades or so after independence.

The WB perspective also dovetails smoothly with the perspective underlying the WTO-enforced General Agreement on Trade in Services (GATS) which converts knowledge into a tradeable commodity. The increasingly competitive sphere of a globalized system of higher education is dominated by the industrialised developed countries. Norms, values, language, concerns and scientific innovations at this centre crowd out other ideas and research practices. These countries not only have the dominant institutions but are also home to the multinational corporations that are becoming so powerful in the new global knowledge system based on 'marketing' intellectual 'products'. Higher education institutions in developing countries have a special role to play in the strengthening of civil society and national development. If subjected to the WTO

¹Prepared jointly by Madhu Prasad and Dr. Dinesh Abrol - Founder-Members of the People's Campaign for Common School System - for submission to the World Bank Tribunal, New Delhi (21-24 September 2007).

strictures, they would be unable to perform this function and the perception that universities serve a broad public good would be accordingly weakened. In a world clearly divided into 'centres' and 'peripheries', with pronounced inequalities, questions of self-reliance and or sovereignty itself would obviously be adversely affected.

During the period of last two decades a lot of changes have occurred in the Indian system of education in line with the policies prescribed by the World Bank. For example, the country has witnessed a phenomenal increase in the number of technical education institutions. A great deal of this growth has come from the establishment of private, aided as well as self-financing institutions, particularly in engineering, computer application and business management disciplines. Today nearly one crore young people are enrolled in higher educational institutions, of whom about one-fifth are estimated to have been enrolled in technical education. The virtual explosion in the number of technical institutions, fuelled by speculative rather than real demand and exploited by self-financing enterprises, has resulted in technical education expanding beyond sustainable levels. If the systems of planning and regulation are unable to shape the supply and demand in the coming period, such imbalances are very likely to be extended to the other fields too.

Adverse consequences of this mushrooming growth are already visible in the form of supply of poor quality of education by the newly opened higher education institutions (HEIs). In spite of the phenomenal growth vacant seats continue to also exist in many institutions. Vacant seats range from 5 percent to 25 percent depending on the branch, discipline, region and institution. While the faculty to student ratio is generally poor in most of the institutions, it is particularly bad in many of the newly created institutions because of poor infrastructure and serious shortage of adequately qualified teachers, resulting in these institutions churning out poorly educated graduates, who remain unemployed for a considerable period of time.

The employers as well as the educationists are already expressing serious concerns in regard to quality of the graduates coming out of these newly opened institutions of higher and technical education. Barring some exceptions, there is scant regard for maintenance of standards. What is indeed a matter of shock to learn that even those markets that are readymade and where the employers are readily able to hire the talent produced from the sector of higher and technical education the country has failed to create the institutions that are capable to give quality instruction to the manpower. The sector of information technology is one such area where India has witnessed a boom in the education market; however the institutions that were set up during the nineties have failed in providing quality education.

A vast majority of these HEIs have been set up with the aim of imparting only graduate technical education. None of these institutions have any plans to create facilities for research and post graduate education. In the fields of business management, hotel management, architecture, pharmacy and so on the number of Ph.Ds is practically negligible. A serious consequence of an imbalance in the production of sufficient

numbers of post-graduates and Ph.Ds. in engineering is the extreme shortage of quality teachers at various levels.

The decade of nineties has been a period of public disinvestment in higher education. The extent of decline in public expenditure on education comes out clearly when we examine the trends in per student expenditure. Decline in per student expenditures means decline in real resources per student on average, seriously affecting the quality of education. As there were steep cuts in budget allocations for libraries, laboratories, scholarships, faculty improvement programmes, etc., it is not difficult to see that there would have been serious adverse effects felt by the higher education institutions. During the decade of nineties the rising cost of higher education is again largely a result of the choice made in favour of the policies of privatisation and commercialisation by the policymakers.

The access to higher education is increasingly becoming a function of paying capacity of the student. Eighty percent of the available engineering seats are in the private sector institutions. The private sector institutions provide over sixty percent of the management seats and over forty percent of the medical seats. The character of private sector institutions is very much commercial in nature and unlike the not-for-profit public sector institutions. But even in the public sector institutions the trend is towards commercialisation. Self-financing courses are on the increase and are affecting the access to higher education in the public sector institutions itself. Even some of the 'best' universities-central and state-have chosen to introduce self financing courses even in disciplines such as Economics, Political Science, Social Work, Anthropology, Botany, Zoology, Human genetics Hindi, etc., that are otherwise and / or ought to be provided as normal courses in different universities, charging often fees much higher than the costs, exploiting the 'excess demand' phenomenon in higher education.

The practice of increased cost recovery is now very well institutionalized in the case of even the not-for-profit institutions of higher and technical education. The cost recovery rates vary today in their case in the range of twenty five percent to fifty percent. The cost recovery rates are high and have surpassed in some universities the trends of even many developed and developing countries. There exist still very striking differences by economic groups of population in the adult population with respect to their access to higher education. Evidence exists that the trends of privatisation, commercialisation, reduction in financial support to the needy students, increased cost recovery by the public sector educational institutions, cost of specialised coaching for clearing the entrance tests, paid seats, capitation fees, etc., are visibly coming in the way of students who come from the backgrounds of socially and educationally backward class households and the economically deprived sections.

Further, the costs of entry into higher education are becoming higher for the students of these sections due to the factor of increased risk arising on account of the growing uncertainty regarding the work opportunities that the system of education and economy is able to presently generate. After the acquisition of the graduation or post graduation whether the outturns would be able to improve their earnings is an important factor in the decision on whether or not to join a particular course or college for the students of

socially and educationally backward classes and economically deprived sections. This has impacted on the students' choices and in turn the utilisation of capacity created for the faculties of science and humanities in many institutions.

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World Bank Prescriptions and Structural Changes in Higher Education in India¹

The crisis in higher education is endemic. Higher education requires to be greatly expanded – currently only about 10% of the relevant age group is engaged in higher studies. From 1950-51 to 2004-05, the number of universities increased from 28 to 348, colleges from 578 to 17,625. Although enrolment in higher education has registered a steep hike from 0.17 million to 10.48 million, in comparison the Chinese higher education system caters to nearly 23 million students. It is estimated that India needs at least 3,000 more post secondary institutions with an enrolment capacity of not less than 10,000 students to meet the increasing demand for higher learning. [Bhargava, P. (2006) 'Knowledge and National Development', paper presented at the National Seminar on the Education Commission organized by NUEPA. New Delhi Dec. 2006]

In particular, the need to provide access to a wider section of the country's population, means that such expansion cannot be expected from, or left to, private agencies. The necessary rate of expansion would therefore only be possible with adequate public funding and regulation. Yet public funding is being withdrawn from this sector and the pressure is on to facilitate the entry of private players both local and foreign. In 1990-91, public expenditure, as percentage of GNP and Budgetary expenditure, on higher and technical education respectively, was 0.46 and 0.15 (% of GNP) and 1.58 and 0.51 (% of BE). By 2002-03 it was down to 0.40 and 0.13 (% of GNP) and 1.31 and 0.42 (% of BE). This represented a cumulative decline in budgetary expenditure from 2.09% to 1.72%, which by 2004-05 was further reduced to 1.60%. In higher education alone, the decline as a percentage of GNP is down to 0.34% (2004-05) from 0.46% (1990-01). [Source: GOI. Analysis of Budgeted Expenditure, various years.]

The impetus for the present strategy owes much to policy prescriptions from the World Bank and other international donor agencies that argued against the use of public funding for an expansion of higher education: "it is arguable that higher education should not have the highest priority claim on incremental public resources available for education in many developing countries, especially those that have not achieved adequate access, equity and quality at the primary and secondary levels. This is because of the priority these countries attach to achieving universal literacy; because the social rates of return in investments in primary and secondary education usually exceed the rates of return in higher education. . . ." [Higher Education: The Lessons of Experience. 1994. p3]. **The WB report argues that primary education should be the priority for developing countries. Higher education is termed a private or quasi-private good** as it allows the student-consumer to command a better market-value for her skills. Hence it was claimed that governments are justified in leaving development of this sector in private, i.e. commercial hands, as students will be paying for benefits that only they will enjoy. WB and other international donor agencies and consequently, national governments, treated higher education as a low priority 'private good' so that public investment in universities and colleges was asserted to be magnifying income

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inequality as only the elite sections dominated higher education. By 1997, the Finance Ministry, GOI, was aggressively advocating cuts in the 'subsidies' expended in this sector as higher education was termed a "non-merit good". Although it revised this categorization in 2004 to a "merit 2 good" which could be provided subsidies but at a lower level, it must be noted that this was only the final blow. Higher education in India, as in much of the developing world, was crisis-ridden because it was chronically underfunded even as it faced escalating demand. "Resources are at the heart of the higher education dilemma. While student numbers have increased at a rate of more than 9 per cent per year for close to half a century, government expenditures increased by 2 per cent per annum and expenditures per student have actually declined by 2.9 per cent when measured against inflation." [Dalip Swamy & Badri Raina. 1984]

Following WB recommendations, GOI focused its diminishing education expenditure on primary education, neglecting secondary and higher education (as luxury merit goods). Yet about 50% of those enrolled drop-out at the primary level itself and recent census data shows that 43.5% children between ages of 5 to 9 are not in school. The failure to halt or reverse this trend through the late-80's and the 90's can be placed at the doorstep of several World Bank inspired interventions at the primary and elementary levels, (the DPEP, a variety of multi-track alternate and Non-formal schemes, multi-grade teaching and the use of poorly paid and ill-trained para-teachers), which radically altered policy and derailed the post-independence goal of a national system of quality education for all children, including the common neighbourhood school, as defined in the Kothari Commission in 1966.

The WB's approach undermines the social necessity of an integrated system of adequate, quality education right from the elementary level to that of higher education. The capacity for critical, independent thought is both intellectually and democratically significant for a dynamic, independent and modern nation. It has to be the essential quality of the entire system of education. The claim that primary education has an absolute priority over the secondary and higher levels is practically so short-sighted that it is astounding: where would the trained personnel required for the success of the programme of universalizing elementary and then secondary education come from if not from a system of quality higher education? What is the purpose of providing elementary education if universal secondary education and the choice to enter higher education are not real possibilities?

The WB approach is exposed as one which is aimed at creating 'alternate' educational 'streams' instead of an independent national system of quality education as was envisaged during the freedom struggle and promoted by policy makers in the first three decades or so after independence.

As a result of the WB's influence, governmental policy in developing countries tended to view expenditure on higher education as a drain on the public purse, rather than an investment: "Many developing countries have showed apathy towards higher education, . . . reduced public investments in it, allowed laissez-faireism, and even adopted policies towards marketisation of higher education." [J. B. G. Tilak "Are We Marching Towards Laissez-Faireism in Higher education development?" paper presented at IAU Sao Paulo Conference. July 2004]. "There is a concerted effort in many countries to reduce the reliance on state-funding and move towards market-friendly reforms." [N.V.Varghese "Incentives and Institutional Changes in Higher Education", *Journal of the Programme on Institutional management in Higher education*. Vol.16 No.1. OECD 2004].

"There is a widely-held view that the days of public-funding of higher education are over. . . . **Institutions like the World Bank make no secret of their view that the best way to fund (higher) education is to put the whole cost on students.** . . . *they concede that the likelihood of such a policy being implemented is 'very distant'. However, the prevalence of such views at a time when public finances are under strain could condemn state-funded education to death by a thousand cuts under the guise of promoting 'alternative funding sources'.*" [Conclusions of the first World Conference on Higher Education, Education International (incorporating the European Trade Union Committee for Education). March 1997]

With the intrusion of values of the marketplace into the higher education sector, it seems justified that users should pay for this 'service' as they would for any other. The pursuit of knowledge becomes a commercial transaction, and universities and other postsecondary institutions are expected to think less like educational institutions and more like businesses in order to generate their own funding. In Asian countries, and the campaign has intensified in India over the past fifteen years, the basic thrust has been that governments can no longer be relied upon to solely or even substantially finance this sector because the demand for its expansion exerts an unviable pressure on budgetary resources. Hence, the argument that institutions of higher education require to become 'autonomous', i.e. financially independent of public funding, and increasingly, of state regulation. In India, both the number of private educational institutions and enrolment in these institutions has shown a sharp increase since 2000-01. Unaided private institutions constituted 42.6% of total post-secondary institutions with an enrolment share of 32.89%. By 2005-06, this had shot up to 63.21% and 51.53% respectively. [Source: Anandakrishnan (2006)]

The WB approach that student-users should pay for educational services delivered to them, effectively denies access to properly regulated higher education of standard except for the very rich. With 17% of world's population, India accounts for less than 1.7% of the world's income. Its per capita GNP was \$530 [US nearly \$38,000; South Korea over \$12,000]. Its 'Purchasing Power Parity' per capita income ranks 84th in the world. [WB figures, 2003]. The weakest sections, with the greatest financial strains and indebtedness, can access only the poorest quality higher or technical education. According to NSS data the government's share in overall education expenditure has been declining steadily from 80% in 1983 to 67% in 1999. While private expenditure on education has risen 10.8 times in these sixteen years, that for the poor rose even faster, by 12.4%. Many students formally enrolled in publicly funded colleges and universities, pay considerable sums to the burgeoning private sector vocational IT training schools. The decline accelerated after this period. Public expenditure per student in higher education is nearly 30% less in the 2000's than what it was in 1990-91. The proportion of scholarships in the public expenditure of states on higher education declined from 0.62% in 1990-91 to 0.24% in 2004-05. The decline for technical education for the same period was from 0.45% to 0.20%.

In 2000, the WB shifted its focus and "concluded that without more and better higher education, developing countries will find it increasingly difficult to benefit from the global knowledge-based economy." [*Peril and Promise: Higher Education in Developing Countries*. Summary of Findings by the Task Force on Higher Education and Society. 1 March, 2000.] The Task Force claimed that "narrow. . . and misleading economic analysis" had led to the faulty conclusion that public investment in the sector

brought meager returns. It no longer targeted higher education as "a luxury, it is essential to survival". It pressed for "urgent action to expand the quantity and improve the quality of higher education" as "specialized skills" are "increasingly in demand in all sectors of the world economy".

However, the report warned that the promise "will not be delivered if diversification continues to be chaotic and unplanned. Players new and old will thrive only in systems of higher education that develop core qualities. These include: sufficient autonomy with governments providing clear supervision, but not day-to-day management, explicit stratification, allowing institutions to play to their strengths and serve different needs, while competing for funding, faculty and students cooperation as well as competition. . . knowledge and ideas, profitably shared within the system ('learning commons')".

The significance of the report's **advocacy of the role of governments as effective supervisors** lies in the recognition that "on its own, the market will certainly not devise this kind of system. Markets require profit and this can crowd out important educational duties and opportunities. Basic sciences and humanities. . . are likely to be underprovided, unless actively encouraged by leaders in education who have the resources to realize their vision." The responsibility of the state is to "concentrate on establishing the parameters within which success can be achieved". The funding model is mixed – consistent and productive public funding mechanisms, and a maximization of the "financial input of the private sector, philanthropic individuals and institutions, and students." It is not surprising that the private sector boom in higher education, referred to above, took off within a year and that private-public partnership became the new mantra of all official statements and committee recommendations.

The Ambani-Birla Report [*A Policy Framework for Reforms in Education*. Prime Minister's Council on Trade and Industry. New Delhi 2000] explicitly gave expression to the role reserved for privatization/ commercialization as the instrument for reform in higher education, which was inherent in the changing education policy initiatives. It argued that higher education should be left to private sector for an investment of 11,000 crores to double the number of institutions by 2015. It wanted the 'user-pays' principle in operation, with loans and grants for the needy. With the companion Model Act for Universities 2003, prepared by the UGC, it was intended to restructure higher education on the *model of market-oriented enterprises promoting corporate values*. The attempt was shelved because of strong opposition from academicians and teachers unions, but it is important to recognize that their opposition was *well-founded*:

- The character of higher education, which is directed towards the long-term goals of a knowledge based society, needs autonomy not only from governmental-bureaucratic institutions but also from market pressures;
- Higher education is the site for innovative foundational research and growth of knowledge. If it is reduced to mere *transmission* of operational technologies, the national society will remain at the mercy of external 'providers';
- A growing, autonomous higher education system is an indication of a mature society. At present, India has amongst the lowest percentage, even among developing countries, of the relevant age group studying in its universities. State funding is essential to ensure that adequate talent from all sections can gain access. The attempt to privatize higher education on the present narrow educational base would not present a viable alternative.

The next stage in the prescriptions for reform of the higher education sector, and the identification of new structures for regulation and co-operation between the disparate 'players' in the private sector and public/government was heralded with the launch of a WB study, entitled "India and the Knowledge Economy: Leveraging Strengths and Opportunities". [Carl Dahlman & Anuja Utz. Finance and Private Sector Development Unit of WB's South Asian Region & The WB Institute. 28th June 2005.]

Micheal Carter, WB Country Director for India, states that the report is "an important Bank input into the domestic consultation and reforms process which will move India further into the global knowledge economy." The report specifies its goals: "To create a sustained cadre of 'knowledge workers', **India needs to make its education more demand driven**" by 'relaxing bureaucratic hurdles' to allow the private sector to meet the burgeoning demand for higher education; by putting in place accreditation systems for private providers; by increasing industry-university partnerships in research and application including use of learning technologies for providing distance education across the board and for lifelong training and upgradation of skills."

The Indian government is not advised to fulfill its commitment to invest at least 1.5% of GDP for higher education out a total of 6% for education as a whole. Instead it is directed to alter "its relatively closed economy" and "increasingly tap into the rapidly growing stock of global knowledge through channels such as foreign direct investment, technology licensing". To spread the "explosive growth of ICTs" (concentrated mainly in urban centers, and covering 0.25% of the work force) the Government should promote the application of ICTs throughout the economy (access to telephones, mobiles, computers and connectivity, and enhancing ICT literacy and skills among the population). It states that knowledge economy does not "mean only high-technology industries or information and communication technologies. . . .In India, great potential exists for increasing productivity by shifting labor from low productivity and subsistence activities in agriculture, informal industry and informal service activities to more productive modern sectors, as well as to new knowledge-based activities". The report places India "at the top of the bottom third of the global distribution" in the knowledge economy, [i.e. below Indonesia but above Kenya, Ghana, Nigeria, and Pakistan, with a slight improvement over the decade 1995-2005 in the KE Index]. **Its future growth would depend on its ability to leverage its strengths [skilled workers in diversified science and technology sector with knowledge of English, impressive Diaspora with influence on both sides, one of world's largest domestic market, institutions of free market economy with developed financial sector] and opportunities [creation of profitable niches in the IT sector, global provider of software application and testing services].** For this "it needs to undertake significant reforms and investments in building education and skills, strengthening its innovation system, and further bolstering its information infrastructure." In particular this requires providing "effective economic incentives and institutions that promote and facilitate the redeployment of resources from less efficient to more efficient uses".

The report calls for a "national 'knowledge' champion" to advance this agenda and identifies the Prime Minister's office (PMO) as most "appropriate champion to coordinate and orchestrate the necessary knowledge-economy related actions across the various domains." It lauds the National Knowledge Commission initiative to make timely recommendations for implementation.

India based and concerned 'think tanks' saw the timing of the report as "very opportune" for discussion among stakeholders. **Sam Pitroda, Chairman, National Knowledge Commission, promised to "take into consideration the analysis and recommendations of the report as we design our strategy. We look forward to co-operating with the WB and other multilateral agencies as well as with think tanks and universities in India and abroad. . . ."**

The companion Knowledge for Development Workshop held in November in New Delhi was aimed at moving from analysis to "identification of concrete key areas for action by different stakeholders". The Workshop's "endorsement" of the knowledge economy as a "critical element in the reforms agenda" calls for major reform and improvement across the board in the area of higher education and training. This was essential and urgent if the system of higher education was to become "more responsive to market needs" with "expanded access to education. . . for all, not just the elite". [Press Release]

The urgency for increasing the pool of skilled IT and backroom specialists was one that was created in the highly profitable BPO sector, of which India accounts for over 80%. An *Economic Times* Survey of 200 large private companies in India in 2005 showed that the total wage bill for these companies had gone up by 23.50% in the second half of fiscal 2005-06 over the previous year. The wage bill rise was not offset by productivity gains. In the IT sector the impact was even more apparent. For 11 large software companies, the wage bill shot up by 42.5%, and the share of wages in sales was up from 37.9% to over 42%. Unless India increased its trained manpower strength by almost two-thirds **and kept wages down**, it would soon lose its competitive edge. [*Economic Times*. 8th November 2005] In fact the alarm continues to be sounded that BPO centers may close down as higher attrition rates and even higher wages become an increasingly pressing problem. The need to keep down competition from other Asian and African countries by maintaining a sustained supply of low-wage skilled workers is presented as a manifestation of the shortage of skilled manpower in India. The solution to the problem is therefore said to lie in sweeping reforms in the higher education system in India to integrate it fully as part of the global knowledge economy. The potential it is argued is immense if we can remain competitive, i.e. cheaper. It is anticipated that over the next few years over \$356 billion worth of global financial services will shift to India, producing a cost saving of \$130 billion for the top 100 financial service firms. The fact that the largest multi-nationals are now shifting their R & D centers to India is also related to the cost advantage. An Indian chip-designer costs at least one-fifth less than an American one.

The question to ask is whether an integration of higher education to the requirements of the global knowledge economy under these conditions would function as a short cut to establishing a knowledge society? BPO and software services to foreign, primarily US, firms have seen a decade of break-neck growth, although the sector accounts for only 0.25% of the workforce. It is argued that the promise of a rosy future will remain unfulfilled if growth remains chaotic and unplanned, as it must be accompanied by appropriate structural reforms.

It is impossible to ignore the fact that the software and IT-enabled sector are dovetailed to research, patents, and requirements of the developed world, mainly the US. On a visit to the US, the PM himself conceded that "American investments in India, especially in new technology areas, will help American companies to reduce costs and become more competitive globally. . . .The information technology revolution is built primarily on US

computer-related technology and hardware.”(20/07/05). Indians are not competing on skills or superior education per se, but derive benefits because of low wages and the colonial heritage of the dominance of English. In the case of ITES workers, frequently referred to as “cyber-coolies”, the work is so repetitive and mechanical it is in danger of being eliminated. India may be producing more IT engineers than the US but it is less creative jobs like bug-fixing, updating antiquated code, and routine programming that are outsourced and fall to the lot of the Indian “foot soldiers” in the information economy. Body shopping is still a significant contribution of Indian firms to US companies. Even the small but rapidly increasing amount of higher value work (animation & web design, legal services, R & D, sophisticated financial services such as administering speculative funds) being outsourced is competitive because of lower wage costs.

Expansion of higher education by opening up the education market for domestic and foreign private institutions with the goal of integrating with the global knowledge economy, as recommended by the WB, need not therefore contribute to the founding of a knowledge society, although it would provide a sustained cadre of workers so that the low-wage advantages attracting MNC's would be protected.

The **WB's 2005 report forms the background against which the procedure adopted by the National Knowledge Commission (NKC) becomes comprehensible and the nature of the recommendations, contained in its recently released document “Report to the Nation 2006”, can be analysed.** The recommendations do not form part of an articulated structure and are haphazardly presented in the document. Crucial areas are not dealt with, while issues that would ordinarily be considered to follow from decisions in these areas, are dealt with in some detail. Interestingly, in spite of this hasty, ‘cut-and-paste’ quality, the recommendations are sweeping in their range and would introduce radical changes in the system of education currently prevailing in the country. This should not be seen as an inadequacy in the report but as essential to the exercise undertaken by the NKC - that of providing a series of recommendatory communications for implementation to the Prime Minister but with no final, consolidated report of its deliberations.

The NKC report aptly begins by stating that “only an inclusive society. . . can provide the foundations for a knowledge society” and regrets that “large segments of our society just do not have access to higher education.” because about 50% of children of the relevant age group either don't enter or drop out at the primary school level itself. Those who clear secondary school with some learning constitute less than 30% of the relevant age group. As a consequence less than 10% of the relevant age group enter post secondary institutions. However, instead of concentrating on this “crucial area”, which is left for “a later date”, to be considered “in due course”, the NKC's immediate recommendations focus on the expansion and far-reaching reform of higher education where it is stated “it is important to act here and now”. We see the impact of WB's perspective in the tendency to conceive of far-reaching reforms at the level of higher education without reference to the goals and requirements of the system of education as a whole.

NKC has recommended major changes in the structure of regulation of higher education. A single Independent Regulatory Authority for Higher Education (IRAHE) to be set up by Act of Parliament, “would apply exactly the same norms [for setting criteria and deciding on entry, ending the regulatory functions of AICTE, MCI and BCI; authorizing degree-granting power; monitoring standards and settling disputes; licensing accreditation agencies to public and private institutions. . . to domestic and international institutions.” It

is assumed that 'opening up' of higher education through this mechanism would facilitate the leap from 367 to 1500 universities by 2015, so that intake can be doubled to reach 15% of appropriate age group. The UGC would only disburse grants, and maintain public institutions of higher education.

Kept at arms length from the Govt., ministries (i.e. executive structures that are eventually answerable to the Parliament) and 'other stakeholders', the IRAHE sounds more like a '**single-window access**' facilitating the entry of domestic and international *capital*, so favoured by the neo-liberal regime, rather than an adequate regulator for a *system of education* that is immensely varied historically, regionally and from the disciplinary point of view. But is even this likely to attract investment in a cash-strapped higher education system? Traders in educational services balk at investment. Domestically this is evident in the phenomenal growth of private professional institutions. Of doubtful quality, these high-fee-charging institutions constitute a hugely profitable commercial sector. Foreign players, particularly those from the developed countries who are entering the sector in developing countries, appear to be no better in spite of their international reputations. Indeed by attracting wealthier or scholarship assisted students offshore and charging high fees, they can be seen as a significant part of the problem, opening new channels to the brain drain, expropriating profits and foreign exchange, besides dominating the local culture and opening it to a uniform 'globalisation', often better referred to as 'MacDonaldization'.

NKC recommends setting up of 10 exemplar national universities within 3 years, and 50 in the long-term. These could be established by government, private societies, charitable trusts or Section 25 companies. **Significant founding grants from public funds, substantial allocation of public land in excess of spatial requirements as an assured source of further income generation, and raising student fee levels to a recommended 20% of total resources, are identified as revenue sources for such institutions.** There is talk of 'needs-blind' admissions with financial support for every meritorious candidate, but absolutely no recommendation as to how or where the huge sums this would require is to be generated within 3 years. A proposed National Scholarship Scheme does not appear to have remembered the resource crunch that was offered as the major motivation behind the NKC recommendations facilitating entry of the private sector in higher education.

Corpus funds take time to build, and alumni contributions, philanthropic endowments, are obviously only secondary sources. [It is necessary to distinguish these private sources from the private 'for-profit' institutions that are rapidly transforming the provision of higher education into a highly competitive and profitable commercial enterprise]. Land, and feeding the impending realty boom, in which the Indian corporate sector and foreign financial institutions have an overriding interest, appears to be the major recommendation of NKC. Public funds and assets are to be transferred therefore to private investors through a policy aimed at creating "special educational zones", with further incentives being indicated to attract foreign institutions.

These "centers of excellence" would, (besides undertaking revision of courses, introducing internal assessment, credit system, establishing a better teaching/ research component, and ensuring an adequate upgradation of academic support systems), effect a changed balance between salaries and pensions on the one hand and maintenance, development, and innovation on the other. This would result from an *altered 'market' approach* towards "resource allocation, reward system and mindset". Better working

conditions, differential salaries across and within universities, and other financial incentives (to compensate for 'loss' of positions in developed countries) are recommended as the primary means to attract and keep 'better' faculty. Finally, after having provided for a "level playing field" with exactly the same norms for both domestic and international institutions, the NKC recommends that appropriate policies would have to be formulated to attract foreign institutions and their faculty to India.

NKC recommends that existing under-graduate colleges be de-linked entirely from the universities. While some prestigious ones, individually or in clusters, would become autonomous, the rest would be brought under central and state boards of under-graduate education. Although the mode of association between under-graduate and post-graduate institutions certainly calls for creative reform, it appears a little extreme to cut all links between the two. Affiliation, based only on recognition and examination, which NKC is opposed to, is not the only form of association. At any rate, affiliation through franchisee or twining relationships between foreign and domestic private players remain permissible within NKC's recommendations. A federated university with constituent colleges like the Delhi University has *proved* its strength, even in the present crisis situation in higher education, in adequately feeding both instruction and research at the university level.

A system of education requires linkages between its different components. Only such a system would be able to recognize and encourage excellence *wherever it exists*. The challenge posed by this approach has to be taken up if an inclusive system of education as the foundation of a knowledge society is to be established. The alternate strategy outlined above of concentrating 'excellence' in pampered enclaves contributes, on the one hand, to creating mediocrity in neglected institutions outside the circle of excellence, and on the other, produces intellectuals who are distanced from the conditions and problems of a developing society. The experience of already existing "centres of excellence", the majority of whose alumni live and work in developed countries, has to be taken seriously. The so-called reverse brain drain being talked about now only lures individuals back by promising differential benefits and working conditions in a new neo-liberal India.

NKC's recommendations relating to the democratization of structures of governance of higher education are disturbing. The size and composition of university courts, senates, academic and executive councils, "which slow down decision making processes and sometimes constitute an impediment to change" are to be altered on a priority basis. Democratic norms, responsible for both composition and size, are certainly 'slower' than authoritarian impositions, but what should be the *priority* in an independent higher education?

A 'deprivation-index' as the recommended form of 'affirmative action' is conceptually problematic and practically susceptible to subversion through manipulation. It is also a barely concealed attempt at undermining the Lok Sabha's unanimous acceptance reservation policy. This raises questions of the political motivations behind NKC's recommendation.

NKC's recommendations regarding the language policy that should guide higher education are simplistic and even alarming. Language is significant, the report states, not only as a medium of instruction, but, especially in the case of English, as "an important determination of access to higher education, employment possibilities, and

social opportunities". A feature marking the accommodation of the Indian elite to colonial rule and administration is readily seen by NKC as a necessary step towards a wider accommodation to the global knowledge economy today. The report states that "...the time has come for us to teach our people – ordinary people – English as a language in schools", and recommends that from Class I (i.e. at 5 years of age) children should learn English and it could even be the medium of instruction for some subjects from Class III onwards. NKC's focus for "teacher training, language pedagogy and resource support" is on the English language. While this reflects WB's projection of the colonial heritage of English as a major advantage in integrating into the global economy, it is surprising that NKC appeared not to have considered how this would impact Indian languages and cultures, already disadvantaged by 150 years of the colonial dominance of English, and how it would diminish the ability of 'our people' to develop an independent, self-confident sensibility and knowledge.

In response to the first major set of recommendations made to the PM in Report 2006, one can conclude that NKC believes that far-reaching changes are urgently required to bring higher education in India in line with the needs of the global knowledge economy. Its recommendations are neither creative nor enthusing, but merely accommodative to a given global economic system.

It is unfortunate that NKC did not consider **how different its recommendations would have been, if it had kept before itself the vision of an inclusive system of education, and the urgency of devising ways of implementing that goal, so that India could have begun to emerge as an equal partner in a truly global knowledge society.** As it stands, NKC's Report to the Nation represents one more lost opportunity.

Two Bills relating to radical changes in the higher education sector require to be considered to see the impact of WB's thinking on the reforms process. Although they have been held in abeyance due to stiff opposition from different sides of the 'stakeholder' divide, they provide a good indication of government's intentions and the impact of the earlier trends. The Foreign Educational Institutions Bill (2007) claims to regulate the entry and operations of foreign educational institutions to protect students, ensure quality education and stem commercialization. However, its features encourage fee hikes; offer loopholes in institutional partnership conditions like twinning arrangements that leave open the door to substandard courses; and give the government arbitrary powers to exempt institutions from the regulations, and even to partially *subsidize* these FEI's through generous development grants!

A Private University Bill was introduced in 1995 to provide for the establishment of self-financing institutions. This followed the Supreme Court's judgements banning capitation fees in private colleges (1992), but allowing for high fees in the name of self-financing courses (1993). The Bill provides for a private university to have a permanent endowment of Rs. 30 crores, because government earlier had had to bail out institutions, and to provide 30% full scholarships to students. In 2005, the uncontrolled growth of the self-financing sector resulted in the Private Professional Education Institutions (Regulation of Admission and fixation of fee) Bill. It stipulates the conditions to be met before an institution can charge fees and seeks to restrict the term 'foreign institutions' only to those institutions which are duly accredited as 'foreign education providers'.

The impact of WB strategies has directed the reforms process of higher education away from its national problems, conditions and environment, to the requirements

government authority powers and exacted institutions with their own self-interests.

of the global economy. India is not a knowledge economy. A recent study showed that 77% of the population lives on Rs. 20 or less per day. India has the largest number of illiterates in the world. Its primary and secondary school education is totally inadequate. While even a minimal public health service is beyond the reach of most people, Indian doctors man national health services in the UK, Canada and other developed countries. India ranks 127th among 175 countries on the UN Human Development Index. One out of every eleven children dies before age five; $\frac{3}{4}$ of rural and $\frac{1}{2}$ of urban population do not get even the recommended minimum calorie intake [National Sample Survey, 2000]. "Over 350 million people are below the average food energy intake of sub-Saharan Africa countries." [Utsa Patnaik. "It is time for Kumbakaran to wake up." Hindu. 05/08/05].

Yet finding solutions to these national problems finds no reflection in the process of reforms being advocated for the development and improvement which will dovetail Indian educational and other systems to the needs of the global knowledge economy. **The WB's report (2005) completely ignores the question of unemployment.** The number of jobless in India grew by more than 3 times in ten years [13.8 million in 1991 to 44.5 million in 2001]. Of the 36.7 million literate unemployed, 4.8 million were graduates. Nor is integration in the global knowledge economy likely to alter this trend. Internationally in 2003 an estimated 186 million persons were "without work and looking for work", with the youth unemployment rate at 14.4% being more than twice as high as unemployment overall at 6.2%. [D. C. Misra. "India well positioned to take advantage of the knowledge revolution says a new World bank report". Digital Divide Network]

Our unique selling point, it is argued following the WB's vision, is our pool of skilled manpower, which we need to continue to grow to maintain our competitive edge. Hence the exclusive focus on expanding and improving the quality of higher education; freeing it from any democratic national controls and regulation; putting it in the hands of domestic and foreign private players who can profit from creating the required skilled knowledge workers; and finally offering up this trained cadre, constituting only a small percentage of the work force, to international corporations so that their profit margins may be protected in a fiercely competitive knowledge economy market.

The WB perspective dovetails smoothly with the perspective underlying the WTO-enforced General Agreement on Trade in Services (GATS), which converts knowledge into a tradeable commodity. The increasingly competitive sphere of a globalized system of higher education is dominated by the industrialised developed countries. Norms, values, language, concerns and scientific innovations at this centre crowd out other ideas and research practices. These countries not only have the dominant institutions but are also home to the multinational corporations that are becoming so powerful in the new global knowledge system based on marketing intellectual 'products'. In a world clearly divided into 'centres' and 'peripheries', with pronounced inequalities, the developing countries must be prepared to see that self-reliance and sovereignty would obviously be adversely affected.

Higher education institutions in developing countries have a special role to play in the strengthening of civil society and national development. If subjected to WB and WTO perspectives and strictures, they would not only be unable to perform this function, but the very idea that universities serve a broad public good would be undermined.

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(a)

India and World Bank in Technical Education¹

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Technical/Engineering Education Quality Improvement (Loan approved in 2003)²

In the area of technical education, the Bank has a project currently going on in the area of technical/engineering education quality improvement. The stated aim of this project is to support the production of high quality technical professionals through reforms in the technical / engineering education system in order to raise productivity through reforms in the technical / engineering education system in order to raise productivity and competitiveness of the Indian economy. The indicators of project performance are selected to be a) increased support of industry and services for R&D, consultancy and life long learning, etc., and b) increased demand from industry and services for high quality technical professionals. The output indicators include increased revenue generation from outreach programmes and services (as a % of annual recurring expenditure).

Its explicitly stated understanding regarding who needs to be served is clearly reflected in the statement: the urgent need for improving the quality of skilled technical manpower in the country are a) a spurt in the opening of R&D establishments by MNCs in high-tech areas of information sciences, software engineering, telecommunication, and power management and control, b) the establishment of an increasing number of call centres to cater for international customer satisfaction, c) the increasing number of manufacturing units being established by large international business houses in automotive industries, white goods, entertainment electronics, power control equipment, etc. It is clear that the target of World Bank is to help international business companies to become more competitive by getting the cheaper skilled engineering manpower for them.

The process of selection and operation of participating engineering institutions is via the process of competitive funding, with the aim to pick up a few cherries for the benefit of international business. It also follows the strategy of reinforcing the process of formation of privileged elite institutions, which will this time provide a new model of autonomous institutions where the paradigm of partial self-financing is used in combination with the training being geared to meet the urgent needs of international business. The said model would be used to make a case for replication of the paradigm of privatisation and globalisation. The new buzz words of this new model are: 'Autonomy' (not from the market, but from the state and society), 'Self-financing (public-private partnership to hijack public resources for international business

¹Prepared by Dr. Dinesh Abrol – Founder-Member of the People's Campaign for Common School System – for submission to the World Bank Tribunal, New Delhi (21-24 September 2007).

²World Bank Project No. P072123 (Duration: January 2003 to June 2008) administered by Ministry of HRD, Govt. of India – Approved credit of US \$ 315 million.

sector)', 'Networking with industry and community (global integration of local resources)' in the name of optimising resources, improving governance, quality and linkages, removing obsolescence.

The states that have been selected for participation in the project are Haryana, Himachal Pradesh, Kerala, Maharashtra, Madhya Pradesh and Uttar Pradesh. The project is expected to develop about 20 well-performing institutions as lead centres of excellence and support about 60-80 networked institutions. About 8-10 percent of existing over 1000 degree level engineering institutions are expected to be supported through this process. In addition about 15-20 selected polytechnics are proposed to be supported for achieving academic excellence and to offer practice-focused degree level programmes.

Agricultural Education Improvement Project (Loan approved in 2004)

The project as proposed is expected to focus on major reforms in institutional governance, financing, academic quality and relevance. The stated approach of this project is, "Governance and financial reforms aim at providing greater freedom to universities resulting in improved efficiency, accountability and private-public partnership". It is clear that in this approach too 'Autonomy' (not from the market, but from the state and society), 'Self-financing (public-private partnership to hijack public resources for international business sector)', 'Networking with industry and community (global integration of local resources)'. And all of this is going to be done in the name of optimising resources, improving governance, quality and linkages, removing obsolescence.

Academic reforms are expected to concentrate primarily on (a) consolidation and modernization of existing undergraduate programs for greater relevance and reorientation towards the knowledge, skills and attitude demanded by the changing business climate, and (b) promotion of excellence in selected critical/emerging areas at the postgraduate education and research levels. It is self-evident that agribusiness needs are given priority in the modernization of existing undergraduate and post-graduate programmes. The route is also clear; the target groups and partners are stated very clearly. Considerable emphasis will be placed on forging closer linkages among institutions, industry and R&D organizations. The mechanisms are also clear in terms of their focus; it is explicitly proposed that how "Systemic reforms would focus on improved manpower planning, global technology watch, continued curriculum upgradation to meet emerging needs, strengthening management capacity, improving quality assurance mechanisms, increasing systemic efficiency, and strengthening monitoring and evaluation capacity at different levels".

Farmers are included in the value chain but not as the starting point for identification of their needs; it is stated that extension services would be strengthened for enhanced outreach to farmers, unemployed youth and rural women, and transferring skills to them that would increase their earning capacity.

Concluding Remarks

In conclusion, the analysis of two projects that the World Bank is currently involved with and are used here as two examples, indicate that the agency is clearly able to push its goal of promotion of liberalization by introducing in an integrated way the concepts of autonomy from the state, partial self-financing (privatisation of public resources) and restructuring of the Indian system of education for the benefit of international and big business. Its latest aim is to get the system of education to integrate with the needs of global business in terms of making gradually education as a commodity to be produced in the institutions set up for profit. It wants to use the demand from international business as a lever to allow foreign education service providers to come into India to take the benefit of increased demand for these skills within the middle classes. It is working in conjunction with WTO via GATS to increase the pace of liberalization, privatisation and globalization.

We need to keep the Indian context and history in view to judge the consequences of WB intervention in tertiary education. The WB model is only capable of distorting the system even further. It is not capable of providing solutions to the problems that the Indian system of tertiary education is faced with in India. The eighties and nineties were deploying the Indian private sector to expand the scope of technical education in India using for profit education. The enclosed article on technical education indicates that the problems of quality and relevance have been aggravated considerably in India. Dualism of the system of education, which was inherited by the country from the earlier phase of pre-liberalization, is in fact now going to be further enhanced with the entry of foreign education service providers. Experience with quality improvement is not at all encouraging in the case of even the global education service providers. The Australian faculty members' association is on record in stating that how they are not able to provide education in the entities set up in South-east Asia. Even the limited Indian experience is loud enough to bring this out. The enclosed paper brings out this in some detail.

Enclosed Paper:

Abrol, Dinesh (2007), 'Technical Education in India: Current Status and Future Challenge', Submitted to World Bank Tribunal, New Delhi (21-24 September 2007).

(b)

Technical Education in India: Current Status and Future Challenge

Dinesh Abrol

Introduction

In this note, we take a view that the way the Indian policymakers chose to cope with the rising aspiration for higher education from the middle class sections during the period of last two decades through the implementation of its neo-liberal reforms of technical education via privatisation and commercialisation they have done a lot of damage to the system on account of both, the dimension of equity as well as the quality of education. We argue that the crisis of the Indian system of higher education is being aggravated by the growing trends of privatisation and commercialisation of the institutions that the policymakers created during the Nehruvian policy framework period. We show that through both, in terms of the changes at the levels of institutional character and the policies introduced by the state for the expansion of the system and the incentives provided for the development of excellence and relevance during the liberalization period have visibly failed to achieve the claimed benefits for the people of India. Most of the new institutions have been set up as for-profit structures and are in no way in any kind of position to effectively make their contribution to the nation building and to realise the goals of self-reliant development, bridging of the knowledge divides existing in the Indian society and above all the creation of a sensitive educated elite. We show that aggravation of the crisis of the system as a whole is reflected not only in the crisis of funding and governance but also in the crisis of purpose and credibility of education being imparted by the institutions of higher and technical education in India. We bring out that even the latest steps being taken for the expansion of technical education through foreign education service providers would not be able to provide access to the people as a whole to education of quality and purpose.

The policymakers are shown to be ignoring the tougher challenge of identification and implementation of the requirements of knowledge and skills needed by the people to realise the endogenously determined opportunities as a part of advancing the path of self-reliant development. We suggest that the solution lies in addressing squarely the problems through the formulation of a vision and strategy that would enable the policymakers to democratise the higher and technical education system in the interest of the society as a whole.

Private sector and pattern of growth

During the period of last two decades a lot of changes have occurred in the Indian system of education in line with the policies prescribed by the World Bank. First of all, in respect of technical education, we have to note how the country has witnessed a phenomenal increase in the number of technical education institutions. A large number of professional institutions – engineering, medicine, management, teacher education have come up in the

private sector over the last 2-3 decades. At present, in the professional stream, nearly 80 per cent of all institutions and enrolments are in the private sector. A great deal of this growth has come from the establishment of private, aided as well as self-financing institutions, particularly in engineering, computer application and business management disciplines. Today nearly one crore young people are enrolled in higher educational institutions, of whom about one-fifth are estimated to have been enrolled in technical education¹. See Table 1 for the pattern of increase in the growth of technical education institutions and intake since 1990.

Year/Prog	1990	1995	1997	1998	1999	2000	2001	2002	2003
Degree (Engg)	337 66600	375 90773	471 114991	558 135784	662 156343	776 185758	838 226560	1057 293804	1208 359721
Degree (Pharmacy)		128 5930	164 8100	184 8855	197 9657	230 11725	237 12341	274 13941	294 15415
Degree (Arch)		91 3827	94 3497	93 3755	93 3755	103 4642	107 4155	107 3972	108 3580
Degree (HMCT)		7 420	12 650	22 1085	28 1425	36 1875	38 1960	40 2100	43 2205
MBA		312 26874	508 45308	584 49638	647 53667	712 57977	749 60224	819 65102	930 64403
MCA			146 4627	224 6987	310 10029	494 17395	553 24747	665 40797	1006 53256

Source: Dinesh Abrol (2006), *Democratizing Higher education, Social Change, New Delhi*

Aggravation of regional imbalances

In quantitative terms, though the number of students seems to be large, yet it should not be forgotten that the system is still very much lagging behind in providing the access to higher education of the level comparable to not only the industrialised world but also the

¹ Within the postgraduate enrolments, the numbers enrolled in science rose by around by 2.7 times, and those in engineering more than ten times. According to the report of NCAER, engineering education shows the highest growth, from 8.2% per annum in 1995-2000 to 21.9% in 2000-04. As a result, the report suggests that while the proportion of postgraduates studying science rose from 36.5% of the total in 1995-96 to 41.4% in 2003-04, the proportion doing engineering rose from 5.4% to 26.4%. Such a high level of jump in the numbers of post-graduation in engineering faculty is a new feature and seems to be linked to the development of education in information technology. This jump in the numbers of post graduates in engineering faculty seemingly shows an imbalance developing even within the faculty of engineering. For the further evidence of this imbalance we have to only look into the recent estimates of the Planning Commission on unemployment among the students graduating from these engineering colleges. According to Planning Commission, the unemployment rate of engineering graduates exceeds 20 per cent. See Dinesh Abrol (2006).

newly industrialising countries of South-east Asia². Furthermore, even today enrolment ratios vary considerably across Indian states, with the Southern and Western states faring better than their Eastern and North-eastern counterparts³. In the case of North-eastern States, the mismatches and deficits facing the system of higher and technical education are acute. In fact, the imbalances are quite debilitating for their sustained development⁴. The latest India Science Report also points to the imbalance in terms of educational institutions in various states of the country. For instance, while Chandigarh had the best student/university ratio of 98405, Jharkhand had the least with each university in the state needing to cope with 1.2 million potential students⁵. Such a situation leads to migration of students for various specific courses. This makes education costlier and also inequitable-those who can afford it only can go for it⁶.

Social representation and dimension of inclusiveness

In respect of the social representation dimension, there exists much scope for improvement in terms of the inclusion of educationally backward and deprived socio-economic groups: Scheduled Caste (SCs) students form only 11.3 percent and Scheduled Tribes (STs) a meagre 3.6 percent of the total enrolment in higher education. Population belonging to SCs and STs is much less educated than the non-scheduled population both in rural and urban areas. The other backward classes also do not seem to be faring much better than the scheduled population. Similarly, based on the evidence provided by NSS 52nd Round, it is also clear that there still exist very striking differences by economic groups of population with respect to higher education. The proportion of population with respect to higher education sharply rises with rising levels of household economic status. In the bottom quintile (monthly per capita consumption expenditure) hardly one percent of the population has higher education, and this ratio steadily rises to above ten percent in the richest quintile. In rural areas, the corresponding ratio increases by seven times between the bottom and top quintiles, and it increases by 15 times in urban areas, highlighting a high degree of inequalities within the urban areas⁷.

2 Even today's gross enrolment ratio in the case of Indian institutions of higher education is approximately 8-9 percent of the age cohort 17-23/18-24, which is considerably lower than the average for Asia as a whole (11 percent) and much lower than OECD countries (46 percent)². The CAGE report takes a clear view on the status of quantitative growth when it states that country-wise evidence shows that no country could become an economically advanced country, if the enrolment ratio in higher education is less than 20 percent.

3 See the figures produced by UGC in the document it published under the title "Basic facts and figures" in 2003.

4 See L. Pulamte and Dinesh Abrol, 2004

5 The enrolment ratio is as high as 29 percent in Chandigarh, but less than five percent in Jammu and Kashmir and Nagaland in 2002-03. In as many as 15 out of 31 states/union territories on which estimates are available, the enrolment ratio is below the national average, less than nine percent.

6 Rajesh Shukla, India Science Report, NCAER, New Delhi, 2005

7 The differences between rural and urban areas are quite striking at each quintile. In all, only 16 out of every 1000 in rural areas are a college graduate (or above); in contrast 112 out of every 1000 in the urban areas belong to this category. A majority of the higher educated population in rural or urban areas consists of only first degree holders; very few have done their post-graduate studies. Among the poorest quintile group in rural India there are no post-graduates at all, while in the richest group in rural areas, the corresponding ratio is 0.8 percent.

Problems of quality of education in private and second rung institutions

In regard to the dimension of quality of higher and technical education, serious concerns have been expressed by the employers as well as the educationists. First of all, it needs to be noted that in spite of the phenomenal growth vacant seats continue to also exist in many institutions. Vacant seats range from 5 percent to 25 percent depending on the branch, discipline, region and institution. The mushrooming growth also continues to go on due to the demand pull by students and parents and heavy rush to start new institutions by private entities, particularly by political and heavy social weights, for commercial gains. The faculty to student ratio is generally poor in most of the institutions. It is particularly bad in many of the newly created institutions because of poor infrastructure and serious shortage of adequately qualified teachers, resulting in these institutions churning out poorly educated graduates, who remain unemployed for a considerable period of time. The recent most available academic study on unemployment among engineers of Dr.J.P. Shrivastava estimates that in such a scenario the unemployment is going to be high.

Further, in the case of technical education, the concern expressed regarding quality by U.R.Rao Committee is quite telling by itself. The report observes, "A serious situation has arisen in recent years because of the mushrooming of a large number of private technical institutions and polytechnics. Barring some exceptions, there is scant regard for maintenance of standards"⁸. Continuing with the state of technical education, the U.R. Rao Committee notes that today, there are 1,208 engineering degree colleges (of which 986 are in the private sector) with a total sanctioned intake of over 0.36 million students. Further, there are 1,006 Master of Computer Applications (MCA) and 930 x Master of Business Administration (MBA) degree institutions, with an intake of about 53,000 and 64,000 students respectively. Obviously, this is occurring at the expense of quality. In Tamil Nadu, where the expansion has been the greatest in recent years, in a 2003 semester examination at Anna University, no student passed in five colleges, 28 had less than 5 per cent passes, 78 less than 10 per cent passes and 108 less than 15 per cent passes. Only 17 had more than 40 per cent passes, of which only eight had more than 50 per cent passes. The same report also tells that "It is a matter of great concern to find that over 90 per cent of technical and engineering graduates are studying in non-accredited institutions"⁹.

⁸ Dr. J.P. Shrivastava in "The Indian Journal of Technical Education, Vol. 27. No.3. July-September 2004.

⁹ The U.R. Rao Committee observes "As on May 2003, only 895 programmes from 202 institutions have been accredited as against a total of about 14,000 programmes in 3,589 approved undergraduate (UG) and post-graduate (PG) institutions and 1,608 approved diploma institutions. Fifty-three of these are government and aided institutions (9.3 per cent) out of a total of 567 such institutions and the rest 149 are private institutions (4.9 per cent) out of a total of 3,022 institutions at UG and PG level. Of the 53 government institutions, 12 (of a total of 17) are Regional Engineering Colleges (now called National Institutes of Technology)".

What is indeed quite shocking to learn is that even those markets that are readymade and where the employers are readily able to hire the talent produced from the sector of higher and technical education the country has failed to create the institutions that are capable to give quality instruction to the manpower. The sector of information technology is one such area where India has witnessed a boom in the education market; however the institutions that were set up during the nineties have failed in providing quality education. In the study undertaken by McKinsey & Company, a global consultancy, while commenting on the state of quality of manpower available, the report suggests that 75-80 percent of India's graduates are not employable in the IT-enabled services industry, which could lead to a qualified labour shortage. Due to this shortage in talented and skilled labour, attrition and salaries in India are rising. In another McKinsey study, the view taken is that 81 percent of Indian managers expect talent scarcity to limit growth. The number of high quality institutes is very low, accounting for less than 1 percent of all graduates, and thus students face extraordinary competition for gaining admission into these.

Policies aggravating gaps in the supply and demand of HQEs

Coming to the issue of imbalances observed in respect of highly qualified engineering manpower (HQE); there has been an aggravation of the imbalance in the production of engineering doctorates. A serious consequence of this imbalance is the extreme shortage of quality teachers at various levels. According to one recent (though conservative) estimate, over 10,000 Ph.Ds will be required in the next 3-4 years to meet the basic needs of the engineering institutions in the country. According to NTMIS estimates, however, the situation is far worse. For the desired teacher-student ratio of 1:15 and professor-reader-lecturer ratio of 1:2:4, the estimate for the total faculty for the current intake of 359,721 students is 95,924, comprising 13,703 professors and 27,407 readers (requiring as many Ph.Ds) and 54,814 lecturers (requiring as many M. Techs). According to the report of the U.R. Rao Committee, there is a shortfall of nearly 26,000 Ph.Ds and 30,000 M. Techs. Even if the teacher-student ratio is relaxed to 1:20, the shortfall would be enormous. The same committee has also noted that the faculty position in other disciplines is as bad, if not worse.

The number of recognised PG engineering education and research institutions is 321 with an intake of 26,000 students in 1,552 programmes. However, the turnover is just around 8,000, a little over 30 per cent. The number of Ph.Ds, on the other hand, is just around 375; 80 per cent of these are from the IITs, IISc, and a small x number of selected universities. In the fields of business management, hotel management, architecture, pharmacy and so on the number of Ph.Ds is practically negligible. It is clear that this pool is too small to generate adequate faculty generation for the country's technical institutions.

If the systems of planning and regulation are unable to shape the supply and demand in the coming period, such imbalances are very likely to be extended to the other fields too. The virtual explosion in the number of technical institutions, fuelled by speculative rather than real demand in low level ITES and exploited by self-financing enterprises, has resulted in poor quality technical education expanding beyond levels acceptable to the pockets of middle class. It is therefore not surprising that as a result we see every year

now uproar in the media about the cost and quality of technical education at the admission time. Adverse consequences of this mushrooming growth are already visible in the form of supply of poor quality of education by the newly opened higher education institutions (HEIs). In spite of the phenomenal growth vacant seats continue to also exist in many institutions. Vacant seats range from 5 percent to 25 percent depending on the branch, discipline, region and institution. While the faculty to student ratio is generally poor in most of the institutions, it is particularly bad in many of the newly created institutions because of poor infrastructure and serious shortage of adequately qualified teachers, resulting in these institutions churning out poorly educated graduates, who remain unemployed for a considerable period of time.

The employers as well as the educationists are already expressing serious concerns in regard to quality of the graduates coming out of these newly opened institutions of higher and technical education. Barring some exceptions, there is scant regard for maintenance of standards. What is indeed a matter of shock to learn that even those markets that are readymade and where the employers are readily able to hire the talent produced from the sector of higher and technical education the country has failed to create the institutions that are capable to give quality instruction to the manpower. The sector of information technology is one such area where India has witnessed a boom in the education market; however the institutions that were set up during the nineties have failed in providing quality education.

A vast majority of these HEIs have been set up with the aim of imparting only graduate technical education. None of these institutions have any plans to create facilities for research and post graduate education. In the fields of business management, hotel management, architecture, pharmacy and so on the number of Ph.Ds is practically negligible. A serious consequence of an imbalance in the production of sufficient numbers of post-graduates and Ph.Ds. in engineering is the extreme shortage of quality teachers at various levels.

Problem of declining access

The decade of nineties has been a period of public disinvestment in higher education. In 1993-94 prices, expenditure on higher education per student declined from Rs. 7676 in 1990-91 to Rs. 5873 in 2001-02, a decline by 25 points in the index. The extent of decline in public expenditure on education comes out clearly when we examine the trends in per student expenditure. Decline in per student expenditures means decline in real resources per student on average, seriously affecting the quality of education. As there were steep cuts in budget allocations for libraries, laboratories, scholarships, faculty improvement programmes, etc., it is not difficult to see that there would have been serious adverse effects felt by the higher education institutions. During the decade of nineties the rising cost of higher education is again largely a result of the choice made in favour of the policies of privatisation and commercialisation by the policymakers.

The access to higher education is increasingly becoming a function of paying capacity of the student. Eighty percent of the available engineering seats are in the private sector institutions. The private sector institutions provide over sixty percent of the management

seats and over forty percent of the medical seats. The character of private sector institutions is very much commercial in nature and unlike the not-for-profit public sector institutions. But even in the public sector institutions the trend is towards commercialisation. Self-financing courses are on the increase and are affecting the access to higher education in the public sector institutions itself. Even some of the 'best' universities-central and state-have chosen to introduce self financing courses even in disciplines such as Economics, Political Science, Social Work, Anthropology, Botany, Zoology, Human genetics Hindi, etc., that are otherwise and / or ought to be provided as normal courses in different universities, charging often fees much higher than the costs, exploiting the 'excess demand' phenomenon in higher education.

The practice of increased cost recovery is now very well institutionalized in the case of even the not-for-profit institutions of higher and technical education. The cost recovery rates vary today in their case in the range of twenty five percent to fifty percent. The cost recovery rates are high and have surpassed in some universities the trends of even many developed and developing countries. There exist still very striking differences by economic groups of population in the adult population with respect to their access to higher education. Evidence exists that the trends of privatisation, commercialisation, reduction in financial support to the needy students, increased cost recovery by the public sector educational institutions, cost of specialised coaching for clearing the entrance tests, paid seats, capitation fees, etc., are visibly coming in the way of students who come from the backgrounds of socially and educationally backward class households and the economically deprived sections.

Further, the costs of entry into higher education are becoming higher for the students of these sections due to the factor of increased risk arising on account of the growing uncertainty regarding the work opportunities that the system of education and economy is able to presently generate. After the acquisition of the graduation or post graduation whether the outturns would be able to improve their earnings is an important factor in the decision on whether or not to join a particular course or college for the students of socially and educationally backward classes and economically deprived sections. This has impacted on the students' choices and in turn the utilisation of capacity created for the faculties of science and humanities in many institutions.

Increasing dualism and formation of highly privileged elite

At the same time an equally distinctive feature of the existing Indian system of higher and technical education is the co-existence of a set of highly privileged elite oriented institutions (elite institutions) to which the treatment meted out in respect of funding and regulation has been always very different from the remaining mass oriented (non-elite) institutions. Centralised entrance tests is a key mechanism for the formation of highly privileged elite, the number of these tests is also on the increase. Admissions for the students to these institutions, being a function of the merit constructed through their access to a select set of schools and specialised coaching institutions, have become a matter of privilege of the chosen few who are able to clear the tightly regulated national level entrance tests. At the moment acceptance rate in the case of IITs is 1 in 60. In the recent years, the IITs have touched a figure of 200,000 plus annual test takers for a little

under 3900 seats. This means that presently, in the case of IITs, close to only one or maximum two percent of those who appear in the entrance test for getting admission are able to make an entry into the institution. There has been effectively no change in the situation during this period with regard to either the easing of entry into the premier institutions of technology, medicine, management and sciences through effective expansion or in regard to the obligation in respect of contributions to the goals of national development.

In the hierarchy of reputation of the institutions, the students in India rank in the fields of technical, medical and management education the highly privileged elite oriented institutions best. There is no doubt that these institutions are reputed and have a level of excellence that is significantly high. But due to the fewer number of students these institutions are able to accommodate they have become centres of privilege. If only a few are getting into these premier institutes from even a set of privileged students from the schools that are themselves tightly regulated in respect of admissions, it is easy to understand that how strong is the privilege and the way it goes much beyond the dimension of access being to the meritorious students. It is now increasingly the case that only those students who are in position to buy their access to the specialised coaching institutions are today able to get an entry into these elite institutions. But it is worth noting here that the education in these premier institutions is heavily subsidised and the students do not have any obligation to pay back the costs of education if even they go abroad and settle after obtaining the education.

Crisis of purpose in elite technical education

One of the most problematic feature of the Indian system of higher education is that its institutional structure continues to be dualistic and is being allowed to function as a highly myopic arrangement that has side by side two types of institutions existing without any contact and interaction between them, the one for the education of selected elite population in the advanced system of higher and technical education and the other for the education of mass of graduates and post graduates in the non-elite system of institutions. Particularly the ethos that the premier institutions are able to generate cast easily a lot of doubt about the purpose that they are serving at the moment for India. Below we give evidence of how at the moment the first rung premier institutions are functioning only for the chosen few who are supported at the expense of the students of all other institutions and their outturns are not participating in the upgrading of the rest of the non-elite system. Functioning as more of centres that provide licenses to the students to go abroad in hordes after their graduation, these institutions have failed to serve the purpose for which the government had set them up.

Although detailed studies on the migration of IIT students are a bit dated, but the order of migration is known to have increased only and not decreased in any way. The joke cracked on a regular basis in the case of IIT entrants is that after the entry into IITs they have only one foot in their case in India the other foot is always in their case in Air India. It is estimated that between thirty five to forty percent still go abroad directly after B. Tech. Most of them prefer to migrate to the United States. According to the estimates provided in a recent OECD report, those who still end up in the US and other such

developed countries lie even today in the range of over 1500 to 2000 out of the 3900 B. Today the most problematic feature of the Indian system of higher education is that its institutional structure continues to be dualistic and is being allowed to function as a highly myopic arrangement that has side by side two types of institutions existing without any contact and interaction between them, the one for the education of selected elite population in the advanced system of higher and technical education and the other for the education of mass of graduates and post graduates in the non-elite system of institutions. Particularly the ethos that the premier institutions are able to generate cast easily a lot of doubt about the purpose that they are serving at the moment for India. If these premier institutions are functioning for the chosen few who are supported at the expense of the students of all other institutions and their outturns are not participating in the upgrading of the rest of the non-elite system, then the existing arrangement and the nature of the higher education system is certainly experiencing a crisis of purpose and credibility from the standpoint of the peoples' interests. Functioning as more of centres that provide licences to the students to go abroad in hordes after their graduation, these institutions have failed to serve the purpose for which the government had set them up.

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The situation for medicos is only slightly better in the sense that there are not too many immigrating to the developed world in terms of numbers as such. The total number of graduates of Indian medical colleges now practicing in the United States, Canada, United Kingdom and Australia is 59095-a work force equivalent to 10.1 percent of the 592, 215 physicians registered by the Medical Council of India. But from a premier institution like AIIMS even today a large majority prefers to go abroad to further their education. Many of them are also known to stay back to earn a better career in the abovementioned four countries. The latest available report of Comptroller and Auditor General (CAG) on AIIMS reveals a lot about the crisis of the system. Statistics reveal that while in the eighties the rate of migration was in the range of about 3% for the doctors graduating

¹⁰ In the seventies, in the case of electrical engineering, the rate of migration was always higher than other branches. It hovered around the range of forty five to fifty percent.

from India as a whole, between 1956 and 1980 the rate was eighteen times more (56%) for the medical graduates of All India Institute of Medical Sciences (AIIMS). In the nineties the migration rate from the same AIIMS was 49 percent. In the year of 2004, when the latest statistics were compiled, the migration rate was still at the same level.

Value of the degrees of the premier Indian institutions is quite high for the individuals going abroad. Their private returns are high in everyway. Not only that these degrees have become a sure shot ticket for entry into the best institutions abroad, they also get the high income earning jobs to these individuals. As of March 2001, more than a million Indian-born individuals were resident in the United States-a more than doubling of this population since 1990. Of these, an estimated 38 percent of the 25-44 year old emigrants age group had masters, professional, or doctorate degree, compared to just 9 percent with better than a native-born population. Of the Indians who came since 1990 and were still in the U.S. at the end of the decade, an estimated 78 percent had a bachelor's degree or better-21 percentage points greater than the cohorts who came during the 1980s and were still in the U.S. at the end of that decade.

During the 1990s the loss of talent to India was dramatic and was highly concentrated amongst the prime-age work force, the highly educated and high earners. There has been a mad scramble for Indian technology brains. So much so that today 'immigrant Indians' is the biggest IT group in the United States; of the 115,000 H-1B visas issued to foreign technology workers in 1999 alone, nearly half went to Indians as American firms have been appointing Indian techies with starting yearly salaries of \$ 60,000, which is nearly 10 times more than they would get at home.

If the degrees from such institutions are a sure shot ticket for entry into the best institutions and jobs available abroad in the high-tech industries, it should be easy to accept that the elites being reproduced by these institutions are highly privileged and would do their best to maintain the status quo. In the reservation controversy, to prevent the dilution of their privilege they have done the expected. Even the best jobs at home in the organisations providing the best working conditions to the professionals in terms of earnings as well as career go to their outturns.

Crisis of the credibility and quality of elite institutions

But the story told by these statistics regarding migration also reveals the sordid affair of higher and technical education in India. Today the situation has reached is that there are not enough personnel available to join the engineering education institutions as teachers. The ethos of the elite students in itself are also responsible for the impasse facing today the system of higher and technical education in respect of the supply of teaching personnel. Let us not forget that the teaching profession is not even the second or third choice of these students for employment. The number of teacher vacancies that cannot be filled is on the increase in the centres of excellence. It is clear that there are not enough of competent candidates getting attracted to the profession of teaching and research in the case of engineering institutions. In India, the engineering institutions are facing a huge faculty crunch. It is not just the polytechnics and vocational training institutes experiencing the faculty crunch. Expansion being undertaken in these institutions for the

increase of seats is going to be adversely affected in more than one way. For example, we know that India's biggest global brand, the publicly subsidised Indian Institutes of Technology (IITs) is presently starved of qualified teaching staff in respect of several faculties. By an estimate, some 380 vacancies at the seven IITs across the country have no takers. By next year, India will need 38957 Ph.Ds to fill academic positions, but only 12,772 would have earned their doctorates. The best of IITians at the bachelor's degree prefer to go abroad; close to fifty percent of B. Techs end up in the developed world. Others go to the IIMs to earn an additional degree in management, or take the public service examination to become bureaucrats. For almost 350,000 students who make it to the engineering schools every year, barely 350 go on to earn a Ph. D in technology within the country.

Further, we should also not forget that a contributing factor to the migration abroad is the absence of academic and research leaders in the IITs. The leaders mentioned in reputed forums are Professors working in institutions abroad, but not the Professors of the IITs. It is this excitement to be able to work as students of these international leaders soon after their graduation that lures them to migrate abroad, referred to as "brain-drain"; only by attaining such status and international reputation that the faculty in the IIT can motivate many of these brilliant students to stay back and work with them.

Furthermore, even when we look at the home situation, many among those who are graduating from the IITs and remaining in the country are opting for the masters of business administration (MBA) to improve their returns from the IIT engineering degree. They want to be picked up by the foreign companies for taking up jobs in their sales and management operations. It is important to recall here for record that while these institutions were created to play a very different role of contributing to the building of domestic capabilities in respect of design engineering, teaching and R&D.

The total research output of IITs and the quality of research carried out have not reached the levels expected of them. Even the number of professional awards, earned by the IIT faculty in recognition of their research work is getting fewer and fewer. There seems to be a tendency to avoid experimental work and instead take up a number of routine projects, which are statistically more impressive. It would have made a difference if, for example, they had taken up a few projects on instrumentation, and used their infrastructure to develop a number of scientific and technical instruments. It is important that design and fabrication of sophisticated instruments either as a part of Master's projects or Ph.D programmes, is given priority over routine items. Though these are Institutes of Technology there are relatively few doctorates in technology. The number of students taking up a research project or projects in applied technology either for their thesis or for project work is very few. The IITs have to make a significant departure from the present state and make distinct contributions to our national R&D scene.

Some IIT students were also expected to be entrepreneurs and job generators but there are not many of them. A conscious move to encourage entrepreneurship and prepare undergraduates for it is part of the IITs' future task. It has been sensed that the training imparted and examples provided by the IIT system are such that almost all students

develop an ambition to go abroad. Teachers invariably prefer spending their sabbatical leave abroad in preference to better opportunities and challenging jobs in the industry in India or in other engineering colleges or in other R&D sectors. Even in their syllabi, examples and illustrations are rarely related to Indian situations. Thus, the IIT value system does not motivate the students to be committed to work in the country, which has invested so much on their training.

Critics of the IIMs also charge that their student bodies are heavily weighted toward quantitative skills. That's in part because many of those enrolled have degrees in engineering. Recruiters find that IIM students sometimes disappoint when it comes to management and marketing expertise. Ahmedabad student Ranjit Roy did an internship at Goldman Sachs in New York last summer, and says he found that the Goldman interns from U.S. schools had far better skills in marketing and branding than he did. In addition, there is a need for more emphasis on entrepreneurship, says Anil Gupta, who teaches a course on agribusiness management and runs a well-regarded center for rural innovation at IIM Ahmedabad. He notes that India's history of state control of business means that salaried jobs remain the most prestigious. "We are producing followers, not leaders," Gupta says. "Indian society makes people fit into a groove." Indeed, surveys have shown that just 1 in 10 IIM students want to start their own business.

In the case of medical graduates, the situation is no better. Government medical colleges in certain states have instituted mandatory two-year rural service following graduation to be eligible for postgraduate training. Reportedly, service requirements are frequently ignored by physicians and have effectively been abandoned by a system that lacks enforcement ability. Medical colleges with a religious base, such as St. John's Medical College in Bangalore and Christian Medical College in Vellore, ask their graduates for two years of clinical service in village clinics or mission hospitals. More of their graduates do fulfil these stipulations, but large numbers are reported to go abroad or find other training or work opportunities without fulfilling the obligation.

Even with the full-scale liberalization of Indian economy, we have not been able to get the premier institutions of higher and technical education to devote to the major challenges facing the system. With regard to both, education and economy their graduates are getting more and more sucked into jobs that do not allow them to undertake either R&D or design. IIT graduates and MBAs from IIMs are at also getting attracted to the lure of technical and financial services, consultancy and management jobs. Although right through in the post-independence period the premier institutions (IITs, AIIMS, IIS, IIMs) have been differentially funded and regulated in terms of admissions through the admission test conducted at the national level with the understanding that the Indian nation must maintain these institutions as the centres of excellence to achieve the goals of national development and self-reliance, but the experience gained with regard to the realization of their actual contribution to meeting the goals of national development over the last sixty years indicates that these institutions have ended up contributing far more to the economies of US and other such developed countries.

Foreign education service providers are not a solution

However, the government is going ahead with the policy of further liberalization of higher education. It is willing to encourage the foreign education providers to solve the crisis of Indian higher education system. The WB perspective is now focusing on how to get the government to internationalize the system of education in India through the entry of foreign education service providers. The Indian government already allows 100% foreign direct investment (FDI) in education. Foreign institutions have been allowed to exist under 'recognized by AICTE and UGC' category of institutions. Currently, the government allows these institutions to be established under the provision of 5 years contract which also provides for the termination of the same contract using the clause of a review after three years, if adversely affected.

But there are clear pointers of evidence that in most cases the foreign education service providers would only damage quality and affect the government's ability to regulate in the public interest. For example, it is not clear to what extent the government would be allowed to extend less-favourable treatment to foreign based e-universities compared to universities actually physically based in India. Even the analysis of programmes offered by foreign universities is quite revealing. It shows that the courses of studies offered mostly relate to hospitality services, management, medical and information technology; in many courses two degrees in the same period being offered; no conditions of minimum qualification in terms of percentage of marks; the duration of degree programme in terms of number of years may be even less than what is prescribed for such degrees in India; etc. Further, it is also clear that the students who flock for a foreign degree and approach many of these organizations are generally not the students with high performance at the higher secondary level. Majority of the students are those who could not get through the competitive examinations or did not get admission in Indian colleges and universities due to their relatively poor performance. In these institutions the opportunities for undertaking R&D have been so far completely absent. It is unlikely that such a niche capability would be promoted. However, this presumably tells us that the crisis of Indian higher education would deepen only further and not get solved.

Education under GATS and its problems

In fact, the Government of India is getting in to the negotiations on market access within all the four modes of supply of higher education services. It is merrily going ahead with the process of bilateral negotiations on the offers. It is presuming that the foreign education providers would flock to India to offer the Indian students courses in frontier technologies such as biotechnology, computer sciences, material sciences, etc. It is also hoping to control the foreign providers through the incentive of putting the condition of ceiling of 74% on foreign investment to attract them in frontier areas. It seems to have forgotten that to realize technology import and obtain technological capabilities for adaptation and improvement India had to practice the direct regulation of technological behaviour of foreign companies. Indirect controls in the form of foreign direct investment ceilings were hardly efficacious for the purpose of obtaining at least technological know-how. There is also experience of last fifty years that foreign companies do not want to part usually with their frontier technologies; how can we forget the experience of steel, oil, electronics, drugs, supercomputing and so on. Today on the top of GATS there is also

TRIPs in the WTO to give them protection over their proprietary software in the field of learning technology.

The WB perspective also dovetails smoothly with the perspective underlying the WTO-enforced General Agreement on Trade in Services (GATS) which converts knowledge into a tradeable commodity. Through the 'GATS 2000' negotiations education is for the first time now on the way to getting locked in to a path of educational services becoming almost permanently an internationally traded commodity. Most of us see education as first and foremost a public service which is responsible on the one hand for providing young people with the skills needed for economic success, on the other for building the foundations of a civil society and of national participation. An understanding of the past, of culture, and of democratic values, among other elements of education, is part of education, and these elements cannot be subsumed in the workings of global market place. However, for those investors who are looking for commercially attractive opportunities to put their money education is also an annual budget of one thousand billion dollars worldwide.

The 'GATS' is not a neutral agreement; it is designed to benefit the emerging exporters of educational services like the US and Australia much more. Trade liberalization for whose benefit or at what cost are key questions. As evidence take the example of the US proposal on education. The proposal put forward on educational services within the framework of 'GATS' 2000 by USA-a key player in the WTO negotiations-is seeking the acceptance of a general 'no limitations clause' from the Government of India. India is being asked to refrain from putting limitations of any kind, be related to market access restrictions on the entry of foreign services or service suppliers into the domestic market or related to national treatment related laws, rules, or regulations that effectively discriminate against in favour of domestic services and services suppliers, or provides for market competitive conditions that favour domestic over foreign service and service providers. The US is even asking for commitments in those sub-sectors that are not, at present, part of the United Nations Central Product Classification (UNPC). The US is demanding the inclusion of 'training' and 'testing' services in the scope of educational services to be liberalized. The inclusion of these two important services in the category of 'other educational services' has a risk that if accepted, existing public funded institutions in India may even be found guilty of de facto National Treatment violations arising from cross-subsidization between training activities and education and of unfair privileging its own examination and testing services in the country's domestic system of education. It may be worth recalling here that the US has not made any commitment to open up for primary to higher education. The US has made a proposal to open up only for 'Adult and Other education' allowing market access under 'consumption abroad' mode, 'commercial presence' mode with some limitations and unbound 'presence of natural persons' mode-except for horizontal commitments.

The proposals of US, Australia and UK identify several of the legitimate national regulations followed in the education sector in developing countries as obstacles, which are necessary limitations from the point of view of the national interest and economic needs. Their proposals are seeking an agreement in the WTO from the member states

providing for sweeping and broad liberalization in the form of horizontal commitment across all the four modes: cross border supply (distance learning), consumption abroad (students studying abroad), commercial presence (off-shore campuses, etc) and presence of natural persons (mobility of teachers).

The provisions relating to general obligations of most favoured nation (MFN), transparency, dispute settlement and monopolies, conditional obligations attached to national schedules in respect of market access and national treatment and limitations attachable to market access commitments are fundamental to the discussion needed to be carried out in the country on the implications of encouraging the international trade in educational services. Uncertainties continue to exist regarding the rules in terms of whether the Government of India would be allowed to implement new regulations in respect of content, cost control and allocation of subsidies, recognition of qualifications, quality assurance and accreditation, mobility of professionals and protection of culture and intellectual independence. Not only is the outcome of negotiations uncertain, even the general provisions of GATS are still open to interpretation of the dispute settlement mechanism. For example, there is considerable uncertainty within the WTO itself as to the extent to which National Treatment impacts on subsidies. If National Treatment provisions are applied to the whole of Indian higher education system, it could mean that foreign, for profit educational institutions will be able to compete for government aid along side Indian educational institutions. It is also possible that this will trigger the reduction of public funding for both public and private educational institutions. This situation will catalyze the introduction of higher fees, with the effects of higher level of dualism and increased inequality of access in higher educational institutions. Further, the new situation has the risk of making cross-subsidisation deeply impractical.

Current state of play in the GATS negotiations

Finally, it is also a matter of serious concern that the Government of India has so far failed in the GATS negotiations to get any kind of assurances from the developed countries member states in respect of the following:

the grant of differential treatment at the time of negotiations in respect of non-reciprocal market access to developing countries, which means proper flexibility to open up fewer sectors and fewer transactions, and to attach conditions to market access;

the grant of a right to introduce the new regulations on supply of services to developing countries within their territory to meet the national objectives, for example to regulate the curriculum, extra and co-curricular activities offered by the foreign providers in the larger national economic, social and cultural interests;

the grant of a commitment to differentiate in the negotiations for all relevant purposes between the public owned and supported system of education and the private owned for profit education system;

the grant of a commitment to allow developing countries to use a differential system of taxes and cost subsidies with the aim of reducing cost distortions and to offer the conditions of level playing field to local education providers;

the grant of a commitment to allow the developing countries to insist on the presence of a local partner for ensuring the appropriateness of curriculum and to treat the representation of national people, who may be nominated by the government in the management of the institution; and

the grant of a commitment of not to insist any more in any way on the acceptance of 'no limitations clause'.

Analysis of the negotiations on the request proposals for the commitments sought from India seems to suggest that at the moment as the things stand the government may be effectively forced to not only make commitments in all the critical areas of higher, adult and other education services but also remove many of the national regulations identified as barriers to trade that today provide for equity of access, quality, diversity of subjects, academic freedom and promotion of social goals to the Indian people. This is further confirmed by the fact of the way the policymaking circles are already opening the sector of education for the benefit of foreign companies.

Emergence of a permanent framework for liberalization

Pushed by the emerging exporters of education, particularly the US, the UK and Australia, the 'GATS 2000' is the first comprehensive multilateral negotiation on education in the trade framework at the global level. The intent of GATS is to facilitate ever-more opportunities for trade. The GATS provides a general framework and an agenda intended to progressively liberalize international trade in services. The process of progressive liberalization involves two aspects-extending GATS coverage to more service sectors and decreasing the number and extent of measures that serve as obstacles to increased trade. Article XIX of this Agreement clearly calls for "Members shall enter into successive rounds of negotiations, beginning not later than five years from the date of entry into force of the Agreement establishing the WTO and periodically thereafter with a view to achieving a progressively higher level of liberalization. Article XIX is clear, establishing as it does that "Such negotiations (for progressively higher liberalization) shall be directed to the reduction or elimination of the adverse effects on trade in services of measures as a means of providing effective market access". This means that the GATS 2000 negotiations should be seen as the first step or launching of a process in liberalization rather than as its final outcome.

Currently, the Government of India is in the advanced stage of making 'offers' to other countries for bilateral negotiations on market access and national treatment in the sector of education. Needless to say, as a result in this situation the sector is already vulnerable to negotiating deals being struck across sectors. Even to predict the extent of risks facing the sector of education the people of India clearly need to know the details of the offers, which are in the process of being negotiated behind closed doors by the officials who may be only trade specialists and not connected at all with education. However, in the

context of controlling the potential damage of irreversibility that the GATS brings with its concurrence within the area of education, it is also worth recalling that for India there has always existed in the framework of GATS an option of not to participate in the process of request-offer-commitment for the sector of education. GATS still provides for that countries can decide which sectors they will agree to cover under GATS rules. It is still not too late for the Government of India to reconsider the participation in negotiations under for GATS in respect of the sector of education.

Where do we go from here?

Higher education institutions in developing countries have a special role to play in the strengthening of civil society and national development. If subjected to the WTO strictures, they would be unable to perform this function and the perception that universities serve a broad public good would be accordingly weakened. In a world clearly divided into 'centres' and 'peripheries' by the transnational higher education multinationals, which cannot but enhance already pronounced inequalities in higher and technical education because their products are going to be meeting the needs of multinationals and such Indian companies interested in participating in the outsourcing business in pharma, IT, financial services, hospitality services, etc., the questions of self-reliance and or sovereignty itself would obviously be adversely affected.

In fact, today the need of the hour is that the curriculum of general, engineering and medical institutions must be geared to educating for the jobs that desire them to combine their head and hands to also provide service to the marginalised in the backward areas. To tackle the shortage of teachers, it is desirable that a policy of obligation is imposed on the big business units that operate from India. In order to overcome the crisis of elite oriented funding and governance of the system in the interest of the people as a whole, the outturns of all the premier institutions must be made to observe a policy of obligation towards the nation. They should also take up the responsibility to meet their obligation by offering the institutions the option of involving those who have chosen to be in the R&D and design responsibilities to also offer themselves for the concurrent appointments in these institutions as teachers.

The government should be taking steps to allow the new standards of credibility and purpose to emerge through the policy of obligation to be enforced on each and every student. Whether they are doctors or engineers and technologists or MBAs if they are the product of the premier institutions of higher and technical education, they should be targeted by a policy of obligation towards the nation. This means that there will be a policy in place to make each and every outturn coming out of any of these institutions to agree to compulsorily serve in the country in the career options identified by the public services commission in the areas of national needs for a period of five years. In these services we would have to include the tasks related to upgrading of the second rung educational institutions.

It may be mentioned that the policy of obligation on the public sector institutions of higher and technical education outturns would not mean that they cannot go abroad to do PG and doctoral education or to even serve in the companies for a stipulated period of

time. But it does mean that those who still want to go abroad and not come back, the policy of obligation could be asked not only to pay the full cost of their education to the government back but also to give a tax on the higher income earned abroad to the Indian government to compensate the society. The government should also be taking steps to initiate negotiations with the governments of developed countries to cooperate in the formulation of a treaty under which the foreign employers of these outturns would be obliged to reimburse a compensatory share of their Indian employee income to the Government of India. Since these developed countries are benefiting immensely from the outturn of these institutions, the Indian state owes to the society the implementation of such a policy of obligation.

The existing arrangement and the nature of the higher education system are certainly experiencing a crisis of purpose and credibility from the standpoint of the peoples' interests. The crisis in higher education is endemic. With regard to higher education, the recommendations of National Knowledge Commissions are aimed at the creation of a unified regulatory agency which would facilitate the commercialization of higher education even further. It has recommended to the government to institutionalise the introduction of a policy of transfer of ownership of intellectual property to the academics working in the academic institutions and publicly funded R&D institutions. This means that in all those institutions where the knowledge generated was so far in public domain the policy would be to privatise the knowledge for the benefit of those who can pay. These academic institutions would no longer be able to give sanctuary to also such people who want to maintain autonomy and independence from both the state as well the market.

There is no doubt that we need to expand the system of higher education; technical education too requires to be greatly expanded. But this expansion must be able to serve the larger goals of nation building and common good. In particular, the need to go beyond the elite and to provide access to a wider section of the country's population means that such expansion cannot be expected from, or left to, private agencies. Yet public funding is being withdrawn from existing institutions and the pressure is on facilitating the entry of private players both local and foreign. For both, the necessary rate of expansion as well as the maintenance of public purpose, the solution lies in providing for adequate public funding and social control. The solution does not lie certainly with the recipes of WB.

PEOPLE'S CAMPAIGN FOR COMMON SCHOOL SYSTEM
(समान स्कूल प्रणाली की जनमुहिम)

**RIGHT TO EDUCATION: BASIC PRINCIPLES AND CORE AGENDA IN THE
INDIAN CONTEXT**

Basic Principles

We can identify the following underlying principles that may guide us:

- The primary purpose of education is **to help build a democratic, egalitarian, secular and humane society**, both at the national and global levels; at the same time, it must also promote universal human values and respect for India's composite culture and her rich ethnic, socio-cultural, religious and linguistic diversity.
- The education system must **strengthen the commitment in every citizen to the goals as enshrined in the Preamble to the Constitution**, especially sovereignty, secularism and democracy and to secure socio-economic and political justice, liberty of thought and faith, equality of status and opportunity, dignity of the individual and integrity of the nation.
- Education is **a means for unleashing the full human potential in the larger public interest as well as a path to social development** with equality and social justice; it has a critical role in generating **knowledge for the welfare of the masses**, rather than for profit, subjugation or concentration of power.
- It follows that **education is not a commodity or service** that can be traded in market and, therefore, must not be allowed to be used for commercial purposes.
- For the purpose of allocation of public resources or otherwise, **elementary education is not to be juxtaposed** against secondary, higher, technical or professional education, each sector being critical to people's welfare and national development.
- **No cause (or budget head) that does not fall in the category of Fundamental Rights can have a priority over elementary education of eight years in allocation of public resources.**
- It is the Constitutional obligation of the State **to ensure adequate financial support for the development of education in such manner as to guarantee various Fundamental Rights (Part III) in consonance with the Directive Principles of State Policy (Part IV) of the Constitution.**
- As a consequence of 86th Constitutional Amendment and induction of Article 21A, all schools, including the private and non-government ones, aided or unaided, need **to be viewed as instrumentalities of the State** that are under obligation to play their due role in ensuring that all children between the age group of 6-14 years realize their Fundamental Right to 'free and compulsory [elementary] education'.
- The Supreme Court of India, in the case of *Unnilrishnan J.P. vs. State of Andhra Pradesh and others* (S.C. 2178, 1993), gave all children a Fundamental Right to "free and compulsory education" until they "complete the age of fourteen years" and stated that this right "flows from Article 21" when read in conjunction with the original Article 45; this shall include, as per the *amended* Article 45, free early childhood care and pre-primary education; further, the Supreme Court in the same judgment ruled that, **after the age of fourteen years, the Fundamental Right to education continues to exist but is "subject to limits of economic capacity and development of the State" as per Article 41.**

- Right to Education is meaningful **only when provided along with other Fundamental Rights, especially those enshrined in Articles 14, 15 and 16 relating to equality and social justice.** In this sense, the **Right to Education agenda can not be delinked from the agenda of Common School System** (including private unaided schools) founded on the principle of Neighbourhood Schools.
- Curricular and pedagogic reforms in the present multi-layered education system are likely **to subject under-privileged children to even greater disadvantage, discrimination and marginalization** than what they may be suffering from at present.

Core Agenda

The following Core Agenda emerges from the Basic Principles listed above:

1. The **National System of Education shall be built as a Common School System** from the pre-primary stage (linked with early childhood care) to the Plus Two stage wherein each school, irrespective of its type of management, Boards of affiliation or sources of income/grant, shall **act as a genuine Neighbourhood School** for all children belonging to its specified neighbourhood and **provide them absolutely free education of equitable quality.**
2. No school, including the unaided private or non-government schools, can either deny admission or charge any fee (or other charges) whatsoever from the children belonging to its specified neighbourhood for providing them education of equitable quality.
3. **No school can practice selection or screening** either at the time of admission or before a public examination.
4. **Free educations implies freedom from not just tuition fees and other school charges but also all incidental and contingent expenses** (e.g. on textbooks, stationery, uniform, teaching aids, laboratory material, computer fees and accessories, mid-day meals etc.); it further includes **'opportunity costs' for child labour** whose parents survive on minimum or lower wages but decide to send their children to regular schools.
5. **Child labour in all forms has to be banned by law** since it prevents children from completing elementary education through regular schools; even later, the children up to 18 years of age have an inherent right to proceed to secondary and senior secondary schools so that they will have equal opportunity to access various professions and careers.
6. The **minimum norms and standards of all schools in the Common School System shall be those of the Kendriya Vidyalayas (Central Schools).**
7. The curriculum, teaching-learning process and the socio-cultural environment of the Common School System shall **promote the values enshrined in the Constitution** in such manner that the children from various sections of society, including SCs, STs, religious and linguistic minorities and the disabled, with focus on girls in each of these deprived sections, shall have a place of dignity and be fully included in the Neighbourhood School. No school, private or otherwise, can take shelter under either its affiliating Board or the argument of market choice, to violate these principles.
8. **The State has a Constitutional obligation to regulate all categories of schools,** including the unaided private or non-government schools, with the primary purpose of

checkmating commercialization of education and maintenance of equitable quality of education while, at the same time, giving them the necessary autonomy for the purpose of pursuing creativity, flexibility and contextuality in the curriculum and teaching-learning process.

9. **The management of the schools needs to be decentralized** with optimum and democratic participation of students, parents and teachers while keeping in mind (a) **the framework of 73rd and 74th Constitutional Amendments**; and (b) **the Constitutional obligation of the State to provide adequate public resources** for ensuring free education of equitable quality for all children.
10. **Elementary education must lead to free and universal secondary and senior secondary education** in order to give access to each child to the 'world of work'.
11. The State must commit all the necessary public resources for promoting secondary/ senior secondary, higher and technical education such that its benefits accrue equitably to all sections of society.
12. **The 86th Constitutional Amendment must be urgently reviewed** in order (a) to expand it to include all children up to 18 years of age and (b) to make it a powerful means for gaining equality and social justice.
13. The **Voucher System** being pushed by the Planning Commission for the XI Five Year Plan must be resisted as it is a strategy to (a) **shift public funds** from government schools to private schools through the back door; (b) **demolish the vast government school system** and promote privatization of school education; and (c) **enable the State to abdicate** its Constitutional obligations towards providing education of equitable quality to all children.
14. **Prohibit the entry of FDI and/ or external assistance in all sectors of education**, unless there is objective evidence to show that this will help in ways that can't be achieved through mobilization of internal resources by reprioritisation of national economy.
15. Mobilise public opinion **to prevent the Govt. of India from offering education as a negotiable service under GATS** and making any commitments whatsoever thereunder without promoting a transparent and nation-wide debate on the matter and, since education is a concurrent subject, involving both the Parliament and the state legislatures in decision-making.

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