

PARLIAMENT OF INDIA

RAJYA SABHA

DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON HUMAN RESOURCE DEVELOPMENT

TWO HUNDRED TWELFTH REPORT ON THE CENTRAL UNIVERSITIES BILL, 2008

(PRESENTED TO THE RAJYA SABHA ON 17TH DECEMBER, 2008)
(LAID ON THE TABLE OF LOK SABHA ON 17TH DECEMBER, 2008)

RAJYA SABHA SECRETARIAT
NEW DELHI
DECEMBER, 2008/ AGRAHAYANA, 1930 (SAKA)

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COMPOSITION OF THE COMMITTEE (2008-09)

MEMBERS

RAJYA SABHA

1. Shri Janardan Dwivedi — *Chairman*
2. Shri Shantaram Laxman Naik
3. Shri Vijaykumar Rupani
4. Shri T.T.V. Dhinakaran
5. Shrimati Supriya Sule
6. Dr. K. Keshava Rao
7. Shri N.K. Singh
8. Shri M. Rama Jois
9. Vacant
10. Vacant

LOK SABHA

11. Shri Ashok Argal
12. Shri Basudeb Barman
13. Shri Harishchandra Chavan
14. Shri Harisinh Chavda
15. Shri Abu Hasem Khan Choudhury
16. Shri Rahul Gandhi
17. Shri Francis K. George
18. Shrimati Paramjit Kaur Gulshan
19. Shri Anant Kumar Hegde
20. Shri Ramswaroop Koli
21. Shri G.V. Harsha Kumar
22. Shrimati Nivedita Sambhajirao Mane
23. Shrimati Archana Nayak
24. Shrimati M.S.K. Bhavani Rajenthiran
25. Prof. Rasa Singh Rawat
26. Shri Ganesh Prasad Singh
27. Dr. Ramlakhan Singh
28. Shri Chengara Surendran
29. Dr. Meinya Thokchom
30. Shri Ravi Prakash Verma
31. Shri K. Virupakshappa

SECRETARIAT

Shri N.C. Joshi, Secretary
Smt. Vandana Garg, Joint Secretary
Shri M.K. Khan, Director
Shri J. Sundriyal, Joint Director
Shri Sanjay Singh, Committee Officer

INTRODUCTION

I, the Chairman of the Department-related Parliamentary Standing Committee on Human Resource Development, having been authorized by the Committee, present this Two Hundred and Twelfth Report of the Committee on the Central Universities Bill, 2008.*

2. In pursuance of Rule 270 relating to the Department-related Parliamentary Standing Committees, the Chairman, Rajya Sabha, in consultation with the Speaker, Lok Sabha, referred** the Central Universities Bill 2008 (Annexure), as introduced in the Lok Sabha on the 23rd October, 2008 and pending therein, to the Committee on the 14th November, 2008 for examination and report within the first week from the first day of next sitting of the 214th Session of Parliament scheduled to begin on 10th December, 2008.

3. The Committee considered the Bill in two sittings held on the 5th and 15th December, 2008.

4. On the 5th December, 2008, the Committee heard the Secretary, Department of Higher Education and also took up clause by clause consideration of the Bill.

5. The Committee, while drafting the report, relied on the following:

- (i) Background Note on the Bill received from the Department of Higher Education;
- (ii) Note on the clauses of the Bill received from the Department of Higher Education;
- (iii) Verbatim record of the oral evidence taken on the Bill; and
- (iv) Presentation made and clarification given by the Secretary, Department of Higher Education.

6. The Committee considered its Draft Report on the Bill and adopted the same in its meeting held on 15th December, 2008.

7. On behalf of the Committee, I would like to thank the officials of the Department of Higher Education for providing necessary inputs and clarifications during the consideration of

the Bill.

8. For facility of reference, observations and recommendations of the Committee have been printed in bold letters at the end of the report.

NEW DELHI;
December 15, 2008
Agrahayana 24, 1930 (Saka)

JANARDAN DWIVEDI
Chairman,
Department-related Parliamentary
Standing Committee on
Human Resource Development

* Published in Gazette of India Extraordinary Part II Section 2 dated 23rd October, 2008

** Rajya Sabha Parliamentary Bulletin Part II No. 45508 dated 14th November, 2008

REPORT

The Central Universities Bill, 2008 seeks to establish and incorporate universities for teaching and research in the States of Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Orissa, Punjab, Rajasthan and Tamil Nadu. It further seeks to upgrade the Guru Ghasidas Vishwavidyalaya, Chhattisgarh, Doctor Harisingh Gour Vishwavidyalaya, Madhya Pradesh, Hemvati Nandan Bahuguna Garhwal University, Uttarakhand and Goa University, Goa into the Central Universities. The Bill aims at raising the Gross Enrolment Ratio (GER) in higher education while improving its quality in a time bound manner so as to enable India to meet the challenges of globalized economy.

2. The Committee was informed that the Gross Enrolment Ratio in higher education in India is presently about 11 per cent which is quite low as compared to an average GER of 54.6 per cent in the developed countries and an average GER of 36.5 per cent in countries in transition and a GER of about 22 per cent in China. This is grossly inadequate to meet the challenges of operating in a globalized knowledge economy. Accordingly, to raise the Gross Enrolment Ratio in higher education in a time bound manner, the Central Universities Bill, 2008 proposes to establish 12 Central Universities and upgrade 4 existing State Universities into Central Universities so as to increase the Gross Enrolment Ratio to 15 per cent by the end of the 11th Five Year Plan and to 21 per cent by the end of the 12th Five Year Plan.

3. There are at present 24 Central Universities existing in various parts of the country. However, they are not proving to be sufficient as there is a constant demand from the States either for establishment of new Central Universities in their respective States or for upgradation of existing State Universities into Central Universities. Accordingly, to meet the

requests of the States, the Central Universities Bill, 2008 proposes to establish 12 new Central Universities in the States which do not have a Central University so far and to upgrade 4 existing State Universities into Central Universities. Setting up of these Central Universities can be considered a significant step in so far as it would help the Government in laying down standards to be emulated by other State Universities.

4. In case of the State Universities proposed to be upgraded into Central Universities, it was informed by the Department of Higher Education that there was a constant request from the State Governments of Madhya Pradesh and Chhattisgarh for elevating Dr. Harisingh Gour Vaishwavidyalaya and Guru Ghasidas Vishwavidyalaya respectively to the status of the Central Universities. Dr. Harisingh Gour Vishwavidyalaya, Sagar established in 1946, is one of the oldest universities in the country covering six districts of the State and having 89 affiliated colleges. Similarly, Guru Ghasidas Vishwavidyalaya, Bilaspur, functioning w.e.f 1st June, 1983 is a residential-cum-affiliating university and has jurisdiction over six districts and has 108 affiliated colleges. It was, therefore, considered reasonable to accede to the request of the State Governments by elevating the status of these two State Universities to the Central Universities.

5. The Hemvati Nandan Bahuguna Garhwal University, Uttarakhand, established in 1973 caters to about 60 per cent population of the State covering 7 districts. With a view to enhance both the access and quality of higher education in this small State, it was considered appropriate to elevate the status of this existing University into the Central University instead of setting up a new Central University in the State.

6. The Committee was given to understand that the background with regard to upgradation of Goa University into a Central University was somewhat different. The Goa University has been included in the proposed Bill on the request of the State Government of Goa. Initially, the State Government had requested to upgrade this University into a Central University as there was not enough justification for starting a new Central University in Goa given its size, population and student strength. This would avoid duplication of resources and the savings generated could be utilized towards further development of primary and secondary education in the State. Subsequently, the State Government informed the Department of Higher Education that the issue of upgradation of Goa University into a Central University was being debated at various forums in the State and therefore the proposed upgradation may be kept in abeyance till the issue was finally settled. However, since such request from the State Government was received after the Department had already finalized the Bill and it was about to be introduced in the Lok Sabha, it was not found possible to withhold the provision relating to Goa University from the present Bill and to introduce later on, a separate Bill for Goa University as suggested by the State Government. The State Government was informed

accordingly.

7. The Central Universities Bill, 2008 is broadly based on the pattern of the Rajiv Gandhi University Bill, 2006, the Tripura University Bill, 2006 and the Sikkim University Bill, 2006 with slight deviations. The deviations, as incorporated in the Central Universities Bill, 2008 are essential to help, evolve and maintain an all India character of the Universities so proposed to be established and elevated. The salient features of the aforesaid Bill are as under: -

- (i) The Universities shall be teaching Universities having territorial jurisdiction throughout the State in which they are located.
- (ii) The Universities shall have powers to provide for instructions and research in such branches of learning like natural sciences, social sciences, humanities, engineering, technology and medicine as the University may determine, from time to time.
- (iii) Though these Universities would primarily be non-affiliating Universities, they would have powers to establish and maintain Colleges and to recognize institutions of higher learning for such purposes as they may determine.
- (iv) The Universities shall also have the power to appoint persons working in any other university or educational institution as teachers for specified periods, and to co-operate, collaborate or associate with any other university or institution of higher learning including those located outside the country.
- (v) The University shall endeavour to maintain an all-India character and high standards of teaching and research, and, for this purpose, shall take the measures such as admissions and recruitments on all-India basis; admissions on merit through Common Entrance Tests or on the basis of marks obtained in the qualifying examination; faculty mobility with portable pensions and protection of seniority; introduction of semester system, continuous evaluation and choice-based credit system, credit transfer and joint degree programmes; innovative courses and programmes of studies with a provision of periodic review and restructuring of curricula; students' participation in the academic activities of the University, including evaluation of teachers; accreditation from NAAC; and e-governance with an effective MIS.
- (vi) The President of India shall be the Visitor of these Universities.
- (vii) The Chancellor shall be appointed by the Visitor on the recommendations of the Executive Council, for a term of five years.

(viii) The Vice-Chancellor shall be appointed by the Visitor, for a term of five years or up to attaining the age of seventy years, whichever is earlier, out of a panel recommended by a Committee consisting of five persons, two of whom shall be nominated by the Executive Council and three by the Visitor.

(ix) The Visitor shall have the powers to remove the Vice-Chancellor on grounds of incapacity, misconduct or violation of statutory provisions, and to place him under suspension pending enquiry.

(x) The Central Government shall, however, have powers to issue binding directions in public interest to the Universities on questions of policy.

(xi) During the transitional period, the appointment of the first Officers and constitution of the first Authorities of the Universities would be made by the Central Government for the specified terms.

(xii) Though all these provisions would be applicable to the existing State Universities proposed to be converted into Central Universities also, special provisions have been proposed for the retention of their existing names, headquarters, jurisdictions and affiliated/ constituent colleges, and continuance of their teachers and employees.

8. After going through all the papers and documents and hearing the Secretary, Department of Higher Education, the Committee took up clause-by-clause consideration of the Bill. It suggested the following amendments/additions to various clauses of the Bill.

Clause 3 : Establishment of the Universities

9. Clause 3 (1) page 2, provides for the upgrading of Guru Ghasidas Vishwavidyalaya, Chhattisgarh, Doctor Harisingh Gour Vishwavidyalaya, Madhya Pradesh, Hemvati Nandan Bahuguna Garhwal University, Uttarakhand and Goa University into Central Universities.

9.1. The issue of upgrading Goa University into a Central University has been a matter of debate both within the Committee and outside. The background note received from the Department indicated that the State Government of Goa, which initially agreed to the proposal for upgradation of Goa University into a Central University, changed its stand later requesting that the proposed upgradation be kept in abeyance. Even the Committee during its examination of the Bill, received a few representations indicating their apprehensions against the proposed upgradation of Goa University into a Central University as they feel that such upgradation will be disadvantageous to the local students. The Committee has also taken

cognizance of a letter written by the Chief Minister of Goa to the Hon'ble Minister of HRD advocating exclusion of Goa University from the Central Universities Bill, 2008. The Committee is also in receipt of a representation sent by some Faculty Members of the Goa University favouring the proposed move.

9.2 The Committee deliberated at length on this issue in the light of feedback received both in favour and against the upgradation of Goa University into a Central University. The Committee observes that divergent views have emerged mainly due to clause 6 (2) which specifically provides that admission of students will be on all-India basis. It has been pointed out to the Committee that on centralization, local students, in the event of failing to obtain admission in some sought-after subjects will have to go to neighbouring States for higher studies. Thus, the objectives of providing additional access and competitive ambience in higher education will remain unachievable. The other view put forth before the Committee is that the proposed move of upgradation of Goa University into a Central University is the much needed solution for resource crunch, faculty shortage as also for the declining number of local students that the Goa University has been witnessing.

9.3 The Members of the Committee unanimously agreed that the views of the people of Goa need to be respected. There was a view in the Committee that in case it is not possible to exclude Goa University from the present Bill, at least the provisions regarding admission on all India basis as provided in Clause 6 and the issue of domicile under Clause 7 may be deleted from the Bill to accommodate the sentiments of the State. There was another view that the Committee may, at this stage, recommend exclusion of Goa from the Bill till a detailed and serious consideration of the issue takes place. A separate legislation may be brought before the Parliament later.

9.4 The Committee feels that views both in favour and against the upgradation of Goa University into a Central University seem to have some substance. In the light of the views expressed before the Committee and representations received from various sections of society, the Committee is of the opinion that the provision relating to upgradation of Goa University into a Central University be dropped at this Stage. Efforts may, however, be made to evaluate the situation with a holistic and balanced approach to ensure that Goa does not remain the only State without a Central University.

Clause 6 : Powers of University

10. Clause 6 (1) (i) page 4, provides that the University shall have the power to provide for instructions in such branches of learning like natural sciences, social sciences, humanities, engineering, technology and medicine.

10.1 The Committee finds that two important branches of learning viz Law and Agriculture do not find place in the clause. The Committee recommends that these two branches of learning should also be added in the clause.

Clause 6 (1) (xvii)

11. As per clause 6 (xvii), the University shall have the power to confer autonomous status on a College or an Institution or a Department, as the case may be, in accordance with the Statutes. The Committee had expressed its reservations while considering the Sikkim, Tripura and Rajiv Gandhi University Bills. The Committee reiterates that the provision of this clause amounts to giving unbridled powers to the University for conferring autonomous status on a College, an Institution or a Department. The Committee is of the opinion that some definite parameters and conditions for conferring autonomous status to the institution may be specified. The Committee, therefore, recommends that clause 6 (1) (xvii) may be suitably amended.

Clause 6 (2) (i) to (viii)

12. Clause 6 (2) is a new provision whereunder the University shall be empowered to take a number of measures with the objective of maintaining an all-India character and high standards of teaching and research. On a specific query in this regard, the Committee was informed that this provision has been included so as to ensure both quantitative and qualitative growth of higher education. Various reforms in academic programmes as proposed in this clause are based on the Report of UGC Expert Committee.

12.1 The Committee takes note of variety of innovative measures encompassing all conceivable quality aspects of academic programmes as well as better service conditions for teaching community envisaged in this Clause. While welcoming these path-breaking innovative measures, the Committee would like to point out that such a provision should find place in all the Acts governing Central Universities. The Committee, therefore, recommends that necessary action may be taken accordingly.

Clauses 20 (1), 21 (2), 22 (2) and 23

13. Clause 20 (1) page 9, provides that the constitution of the Court and the term of office of its Members shall be prescribed by the statutes.

13.1 Clause 21 (2) page 9, provides that the constitution of the Executive Council, the term of office of its Members and its powers and functions shall be prescribed by the statutes.

13.2 Clause 22 (2) page 9, provides that the constitution of the Academic Council, the term of office of its members and its powers and functions shall be prescribed by the statutes.

13.3 Clause 23 page 9, provides that the constitution, powers and functions of the Boards of Studies shall be prescribed by the statutes.

13.4 The Committee is of the view that the Court, Executive council, Academic Council and Boards of Studies are the important decision making bodies of the University. The Bill and the statutes appended to the Bill contain provisions about members to be elected from among the teachers, employees and students of the University to be members of these bodies and also the powers and functions of the Court, Executive Council, Academic Council and Board of Studies but are silent about their constitution and term of office.

13.5 The Committee, therefore, recommends that the provisions for the constitution and term of office of the Court, Executive Council, Academic Council and Boards of Studies may also be included in the first statutes.

Clause 28 : Power to make Ordinances

14. As per clause 28(1) (k), the Ordinances may provide for the manner of co-operation and collaboration with other Universities, institutions and other agencies including learned bodies or associations. The Committee had expressed its reservations on a similar provision while considering the Sikkim, the Tripura and the Rajiv Gandhi University Bills. The Committee reiterates that the words ‘other agencies’ leave ample scope for associating with agencies which might be private commercial and detrimental to academic standards. Necessary safeguards may be taken to ensure qualitative aspects of higher education.

Clause 32 : Right of Central Government to issue directions and to call for returns and information.

15. Clause 32 (1) vests the Central Government with the power to issue such directions on questions of policy as it may deem necessary in public interest and the University shall be bound to comply with such directions. On a specific query with regard to the basis for having such a provision, the Committee was given to understand that autonomy of higher education institutions was to be protected at all costs. However, such situations continue to arise time and again when there may be a need to give a direction in public interest to the Universities. It was also pointed out that such a provision existed in UGC Act and AICTE Act.

15.1 The Committee has strong reservations on the inclusion of this provision in the proposed Bill. The Committee would like to draw the attention of the Department to the fact that existing Central University Acts do not have such a provision. The Committee is not inclined to believe that a situation may have arisen so far in case of any Central University where a Central University had deviated from its objectives and the Centre failing to take any corrective measures in the absence of any authoritative power. The Committee would also like to point out that UGC/ AICTE and Central Universities cannot be treated on the same footing. Whereas AICTE/ UGC were regulatory bodies having a jurisdiction of the entire country, the Universities will only be having a State under their purview. Not only this, all actions/ decisions of the University will be deliberated and taken by different statutory bodies. With such a power, the autonomy of a University is bound to be adversely affected. In the absence of valid justifications for having such a provision, the Committee recommends deletion of Clause 32 (1) of the Bill.

Clause 44 : Transition Provisions

16. Clause 44, page 15 pertains to Transitional Provisions empowering Central Government to appoint the first Chancellor and the First Vice-Chancellor for a term not exceeding five years. The term of first Registrar and the first Finance Officer shall be three years.

16.1 The Committee is of the view that instead of the Central Government, the appointment of the first Chancellor, the first Vice-Chancellor, the first Registrar and the first Finance Officer should be made by the Visitor on the recommendations of Search Committees comprising of eminent persons constituted by the Visitor. The Committee, therefore, recommends that Clause 44(a) and (b) may be amended accordingly.

16.2 The Committee also feels that the term of offices as long as five and three years as provided in the transitional provision is quite long. The Committee, therefore, recommends that the term of office of the first Chancellor, the first Vice-Chancellor be reduced from five years to three years and of the Registrar and the Finance Officer from three to two years respectively.

16.3 Clause 44(c) and (d) empowers the Central Government to constitute the first Court, first Executive Council and the first Academic Council. The Committee is of the view that the eligibility conditions and qualifications of persons to be nominated by the Central Government need to be specified. The Committee, accordingly, recommends that eligibility conditions and qualifications of persons to be nominated to the aforesaid Authorities should be stipulated in the Statute or Rules.

THE SCHEDULE

Clause 2 (2) of the Statutes

17. Sub clause (2) of Clause 2 relates to the composition of the Search Committee for the appointment of Vice-Chancellor.

17.1 The Committee notes that in the earlier Acts the Search Committee comprised of 3 Members with 2 Members nominated by the Executive Council and 1 by the Visitor. On the same analogy, the Committee recommends that three Members can be nominated by the Executive Council and two by the Visitor.

Clause 2 (5) of the Statutes

18. Sub-clause (5) of clause 2 provides that the Visitor may remove the Vice Chancellor on ground of incapacity, misconduct or violation of statutory provision.

18.1 The Committee is of view that power under this provision needs to be made exceptional and therefore it suggests that necessary amendment be made in this regard.

Clause 9 of the Statutes

19. Clause 9 page 23, of the statutes provide for the appointment, powers and duties of the Librarian of the University.

19.1 The Committee notes that the retirement age of the post of Librarian has not been provided in the clause. This may be looked into.

Clause 36 (1) (iii) and 36 (3) of the Statutes

20. Clause 36 (1) (iii) page 32 provides for the constitution of a Students' Council for every academic year with such number of elected representatives of students as may be specified by the Academic Council.

20.1 Clause 36 (3) provides that the Student's Council shall meet at least once in an academic year preferably in the beginning of that year.

20.2 The Committee notes that clause 36 (1) (iii) does not specify the number of the

elected representatives of the students in the Students' Council. The Committee therefore, recommends that the words "such number of elected representatives of students as may be specified by the Academic Council" may be substituted by the words "equal number of elected representatives of students." Further sub-clause (3) of clause 36 may be rephrased as "the Student's Council shall meet, at least, twice in an academic year, the first meeting being held in the beginning of the academic session."

21. The Committee appreciates that certain suggestions made by it on similar Bills were accepted by the Government and incorporated in the present Bill. It has however noted certain new provision have come up. The Committee hopes that the Government would bring all Central Universities under one umbrella legislation.

22. The Committee adopts the remaining clauses of the Bill without any amendments.

23. The enacting formula and the title are adopted with consequential changes.

24. The Committee recommends that the Bill may be passed after incorporating the amended additions suggested by it.

25. The Committee would like the Department to submit a note with reasons on the recommendations/ suggestions which could not be incorporated in the Bill.

OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE - AT A GLANCE

Clause 3 : Establishment of the Universities

The Committee feels that views both in favour and against the upgradation of Goa University into a Central University seem to have some substance. In the light of the views expressed before the Committee and the representations received from various sections of society, the Committee is of the opinion that the provision relating to upgradation of Goa University into a Central University be dropped at this Stage. Efforts may, however, be made to evaluate the situation with a holistic and balanced approach to ensure that Goa does not remain the only State without a Central University.

(Para 9.4 of the Report)

Clause 6 : Powers of University

The Committee finds that two important branches of learning viz Law and Agriculture do not find place in the clause. The Committee recommends that these two branches of learning should also be added in the clause.

(Para 10.1 of the Report)

Clause 6 (1) (xvii)

As per clause 6 (xvii), the University shall have the power to confer autonomous status on a College or an Institution or a Department, as the case may be, in accordance with the Statutes. The Committee reiterates that the provision of this clause amounts to giving unbridled powers to the University for conferring autonomous status on a College, an Institution or a Department. The Committee is of the opinion that some definite parameters and conditions for conferring autonomous status to the institution may be specified. The Committee, therefore, recommends that clause 6 (1) (xvii) may be suitably amended.

(Para 11 of the Report)

Clause 6 (2) (i) to (viii)

The Committee takes note of variety of innovative measures encompassing all conceivable quality aspects of academic programmes as well as better service conditions for teaching community envisaged in this Clause. While welcoming these path-breaking innovative measures, the Committee would like to point out that such a provision should find place in all the Acts governing the Central Universities. The Committee, therefore, recommends that necessary action may be taken accordingly. (Para 12.1 of the Report)

Clauses 20 (1), 21 (2), 22 (2) and 23

The Committee recommends that the provisions for the constitution and term of office of the Court, Executive Council, Academic Council and Boards of Studies may also be included in the first statutes. (Para 13.5 of the Report)

Clause 28 : Power to make Ordinances

As per clause 28(1) (k), the Ordinances may provide for the manner of co-operation and collaboration with other Universities, institutions and other agencies including learned bodies or associations. The Committee had expressed its reservations on a similar provision while considering the Sikkim, the Tripura and the Rajiv Gandhi University Bills. The Committee reiterates that the words ‘other agencies’ leave ample scope for associating with agencies which might be private, commercial and detrimental to academic standards. Necessary safeguards may be taken to ensure qualitative aspects of higher education.

(Para 14 of the Report)

Clause 32 : Right of Central Government to issue directions and to call for returns and information.

The Committee has strong reservations on the inclusion of this provision in the proposed Bill. The Committee would like to draw the attention of the Department to the fact that existing Central Universities Acts do not have such a provision. The Committee is not inclined to believe that a situation may have arisen so far in case of any Central University where a Central University had deviated from its objectives and the Centre failing to take any corrective measures in the absence of any authoritative power. The Committee would also like to point out that UGC/AICTE and the Central Universities cannot be treated on the same footing. With such a power, the autonomy of a University is bound to be adversely affected. In the absence of valid justifications for having such a provision, the Committee recommends deletion of Clause 32 (1) of the Bill.

(Para 15.1 of the Report)

Clause 44 : Transition Provisions

The Committee is of the view that instead of the Central Government, the appointment of the first Chancellor, the first Vice-Chancellor, the first Registrar and the first Finance Officer should be made by the Visitor on the recommendations of Search Committee comprising of eminent persons constituted by the Visitor. The Committee, therefore, recommends that Clause 44(a) and (b) may be amended accordingly.

(Para 16.1 of the Report)

The Committee also feels that the term of offices as long as five and three years as provided in the transitional provision is quite long. The Committee, therefore, recommends that the term of office of the first Chancellor, the first Vice-Chancellor be reduced from five years to three years and of the Registrar and the Finance Officer from three to two years respectively.

(Para 16.2 of the Report)

Clause 44(c) and (d) empower the Central Government to constitute the first Court, first Executive Council and the first Academic Council. The Committee is of the view that the eligibility conditions and qualifications of persons to be nominated by the Central Government need to be specified. The Committee, accordingly, recommends that eligibility conditions and qualifications of persons to be nominated to the aforesaid bodies should be stipulated in the Statute or Rules.

(Para

16.3 of the Report)**THE SCHEDULE****Clause 2 (2) of the Statutes**

The Committee notes that in the earlier Acts, the Search Committee comprised of 3 Members with 2 Members nominated by the Executive Council and 1 by the Visitor. On the same analogy, the Committee recommends that three Members can be nominated by the Executive Council and two by the Visitor. (Para 17.1 of the Report)

Clause 2 (5) of the Statutes

The Committee is of view that power under this provision needs to be made exceptional and therefore it suggests that necessary amendment be made in this regard. (Para 18.1 of the Report)

Clause 9 of the Statutes

The Committee notes that the retirement age of the post of Librarian has not been provided in the clause. This may be looked into. (Para 19.1 of the Report)

Clause 36 (1) (iii) and 36 (3) of the Statutes

The Committee notes that clause 36 (1) (iii) does not specify the number of the elected representatives of the students in the Students' Council. The Committee recommends that the words "such number of elected representatives of students as may be specified by the Academic Council" may be substituted by the words "equal number of elected representatives of students." Further, sub-clause (3) of clause 36 may be rephrased as "the Students' Council shall meet, at least, twice in an academic year, the first meeting being held in the beginning of the academic session." (Para 20.2 of the Report)

MINUTES

IV
FOURTH MEETING

The Committee on Human Resource Development met at 4.00 p.m. on Friday, the 5th December, 2008 in Committee Room 'A', Ground Floor, Parliament House Annexe, New Delhi.

1. Shri Janardan Dwivedi — *Chairman*

MEMBERS

RAJYA SABHA

2. Shri Shantaram Laxman Naik
3. Dr. K. Keshava Rao
4. Shri M. Rama Jois

LOK SABHA

5. Shri Ashok Argal
6. Shri Basudeb Barman
7. Shri Harisinh Chavda
8. Shrimati Paramjit Kaur Gulshan
9. Shri Ramswaroop Koli
10. Smt. M.S.K. Bhavani Rajenthiran
11. Prof. Rasa Singh Rawat
12. Shri Ganesh Prasad Singh
13. Dr. Meinya Thokchom
14. Shri Ravi Prakash Verma
15. Shri Francis K. George
16. Shri Anantkumar Hegde
17. Shri Rahul Gandhi

SECRETARIAT

Smt. Vandana Garg, Joint Secretary
Shri M.K. Khan, Director
Shri J. Sundriyal, Joint Director
Shri Sanjay Singh, Committee Officer

WITNESSES**DEPARTMENT OF HIGHER EDUCATION**

- | | | | |
|-----|----------------------|----|--|
| 1. | Shri R.P. Agrawal | -- | Secretary |
| 2. | Shri Ashok Thakur | -- | Additional Secretary |
| 3. | Shri Sunil Kumar | -- | Joint Secretary |
| 4. | Dr. R.K. Chauhan | -- | Secretary, UGC |
| 5. | Shri R.D. Sahay | -- | Director |
| 6. | Shri S.S. Mahlawat | -- | Under Secretary |
| 7. | Dr. G.N. Raju | -- | Additional Legislative Counsel |
| 8. | Shri M.S.K. Khokkhar | -- | Director, College Development
Council, GGU Bilaspur |
| 9. | Prof. V.K. Saxena | -- | Director, Institute of Distance
Education, Sagar |
| 10. | Prof. R.C. Dangwal | -- | H.N. Bahuguna University, Garhwal |

2. The Committee heard the Secretary and other officials of the Department of Higher Education on the Central Universities Bill, 2008. Members, then, raised some queries on various provisions of the Bill which were replied to by the witnesses. The witnesses then withdrew.

3. The Committee thereafter deliberated on the important provisions of the Bill and directed the Secretariat to prepare a draft report on the Bill. The Committee also decided to consider and adopt the draft Report at its next meeting on 15th December, 2008.

4. A verbatim record of the proceedings of the meeting was kept.

5. The Committee then adjourned at 5.35 p.m to meet again on Monday, the 15th December, 2008.

V**FIFTH MEETING**

The Committee on Human Resource Development met at 4.30 p.m. on Monday, the 15th December, 2008 in Room No.63, First Floor, Parliament House, New Delhi.

1. Shri Janardan Dwivedi — *Chairman*

MEMBERS

RAJYA SABHA

2. Shri Shantaram Laxman Naik
3. Shrimati Supriya Sule
4. Dr. K. Keshava Rao
5. Shri N.K. Singh

LOK SABHA

6. Shri Basudeb Barman
7. Shri Harishchandra Chavan
8. Shri Harisinh Chavda
9. Shrimati Paramjit Kaur Gulshan
10. Shri Ramswaroop Koli
11. Prof. Rasa Singh Rawat
12. Shri Ganesh Prasad Singh
13. Dr. Meinya Thokchom
14. Shri Ravi Prakash Verma
15. Shri Rahul Gandhi

SECRETARIAT

Smt. Vandana Garg, Joint Secretary
Shri M.K. Khan, Director
Shri J. Sundriyal, Joint Director
Shri Sanjay Singh, Committee Officer

2. The Committee considered its 212th draft Report on the Central Universities Bill, 2008 and adopted the same with some minor modifications. The Committee also decided to present/lay the Report in both Houses of Parliament on 17th December, 2008.
3. A verbatim record of the proceedings of the meeting was kept.
4. The Committee then adjourned at 5.05 p.m.