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Higher Education Policy in Maharashtra Education-Politics Nexus Diluting the University Authority

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National Institute of Educational Planning and Administration

17-B, Sri Aurobindo Marg, New Delhi-110016, INDIA

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Abbreviations

AICTE	All India Council for Technical Education
BUEC	Bombay University's Executive Council
CM	Chief Minister
DES	Deccan Education Society
EM	Education Minister
EPW	Economic and Political Weekly
EC	Executive Council
GoM	Government of Maharashtra
HE	Higher Education
HOD	Head of Department
MAHED	Maharashtra State Authority for Higher Education
MC	Management Council
MLA	Member Legislative Assembly
MLC	Member Legislative Council
NAAC	National Assessment and Accreditation Council
NRI	Non-Resident Indian
NCC	National Cadet Corps
NSS	National Service Scheme
OBC	Other Backward Caste
PG	Post-Graduate
PUA	Pune University Act, 1974
PVC	Pro-Vice-Chancellor
SC	Scheduled Castes
ST	Scheduled Tribes
UGC	University Grants Commission
UG	Under-Graduate
VC	Vice-chancellor

Higher Education Policy in Maharashtra

Education-Politics Nexus Diluting the University Authority[#]

A. Mathew^{*}

Abstract

Three uneasy policy strands stand out in Maharashtra's higher education system since Independence, especially since the enactment of the Pune University Act, 1974. The first relates to the objects and functions of the three Maharashtra University Acts, viz., 1974, 1994, and 2016, seeking to transform higher education on par with emerging national and global knowledge trends and national aspirations. The second strand is the external pressure and interference by the government and unaided private managements that systematically interfered with the governance and management of the university and eroded its autonomy in respect of all its functions. The third strand is the transition of educational philanthropies with intense zeal for social reform and extending educational opportunities to the poor in rural, remote, and hilly areas, and its eventual dissipation with the onset of commercialisation of educational enterprises owned and controlled by the political heavyweights. Playing a key role in university policies and executive bodies, the unaided private managements resist the university efforts to ensure academic autonomy and excellence, adequate representation through democratic process, transformation, and strengthening and regulating higher education because that will affect their interests.

[#] This paper is based on ICSSR Sponsored Study on State Policies in Higher Education in which Maharashtra is a case study. Professor N.V. Varghese, Vice-Chancellor has been a source of inspiration and encouragement in preparation of this paper. Professor Kumar Suresh played a pivotal and proactive role in screening the paper and scrutinising it for improvement.

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Introduction

Three strands need to be considered for a convincing narrative of Maharashtra's HE policy. The first is the Maharashtra universities' efforts, for over four decades from 1974 to 2016, as seen through the lens of their objects and functions, to create and promote knowledge and learning on par with national and international levels. A related dimension comprises the composition and functions of various policy-making bodies of a university -- such as the Senate, Executive/Management Council, Academic Council, Board of Studies, etc. The second strand is the external interference in the governance and autonomy of universities. This becomes evident through a series of amendments to the University Acts, 1974 and 1994, by the government, prompted by the influence and pressure of unaided private managements, controlled mostly by the politicians in the government. The third strand is the emergence and entrenchment of unaided private managements in universities' policy-making bodies and their resistance to attempts by the universities to regulate the admission process and fee structures, and adherence to other parameters of quality.

The last strand in the policy trajectory, as above, raises a few questions: how and why does Maharashtra HE policy seem to be so accepting of the dominant position and interference of private players in higher education? What happened to Maharashtra's higher education that was known for its 'ruralisation' since the 1960s, besides being a pioneer in extending the HE opportunities to the rural and economically poor and socially marginalised SCs, STs and OBCs? What happened to the colleges that started as philanthropic initiatives in education and how did they fare with the emergence of private unaided technical and professional colleges that were consciously promoted by government as non-aided and self-financing colleges? This policy allowed the unaided private educational managements to charge exorbitant capitation fees, fleece parents and students through all means so much so that there have been repeated court verdicts against them throughout the 1990s and 2000s. It ultimately resulted in the Supreme Court's landmark verdict in the *Inamdar vs. State of Maharashtra* case in 2005. The judgement mandated the regulatory authority in each state to fix the fees for admissions to technical and professional courses. These developments represented the education-politics nexus

influencing the HE policy. This paper seeks to examine how this nexus interfered with the composition and functions of universities' policy-making and executive bodies as well as with the autonomy of universities.

A comprehensive narrative on Maharashtra's HE policy precedes this discussion on the interference of the education-politics nexus in a university's autonomy. It is seen through the lens of the three University Acts between 1974 and 2016, with respect to a university's objects and functions as well as the composition of its various policy-making bodies like the Senate, Executive/Management Council, Academic Council and also their roles and functions. The conscience of the government seemed to have been pricked by the implications of the policies in place from the 1980s until 2010. These policies led to the loss of universities' autonomy because of the governmental and private management's control, and increase in commercialisation of higher education. This led to setting up a series of committees between 2009 and 2012 to propose measures for restructuring the organisation and management of universities, including its legal framework that guards against external interference and at the same time curbs commercialization of higher education. The Maharashtra Public University Act, 2016 could be seen as the latest in the narrative of Maharashtra HE policy.

1. Idea of University and its Contestations: Case of Maharashtra¹

The idea of a university in Maharashtra kept evolving over decades. This becomes evident in respect of the objects and functions of the university and its key policy-making bodies like the Senate and Executive/Management Council, from the Pune University Act (1974), Maharashtra University Act (1994), and the Maharashtra Public University Act (2016). These three University Acts sought to transform higher education in Maharashtra on par with national and international trends in knowledge and learning. The provisions of the three University Acts such as extending opportunities for higher education and creating a democratic social order to promote equity and inclusion—values enshrined in the Indian Constitution. The participation of students and teachers in the university affairs and society is aimed at ensuring democratic processes in the university. In a state like Maharashtra

¹ A larger version of this theme is likely to appear in the *College Post* in a forthcoming Issue.

where the external pressure and interference had been affecting a university's autonomy in every sphere of its functions—right from the beginning of unaided colleges of general, technical, and professional education since the mid-1980s—the University Acts effectively laid down the provisions to curb the malpractices in admissions and examinations and the menace of commercialisation of higher education. The evolving idea of a university in Maharashtra is an account of the university's vision to forge higher education as an instrument of social transformation alongside the latest trends in learning and knowledge creation in a society governed by the constitutional values, which were constantly diluted by the unaided private managements owned by the politicians.

The idea of university and its various facts may also be discussed through the analysis of university Acts in Maharashtra. The ensuing section presents an analysis of the Acts for the purpose.

Objects, Powers, and Duties of Universities in Maharashtra

Pune University Act, 1974: With reference to its basic function, viz., advancement and dissemination of knowledge, the Pune University Act, 1974 (also known as the Maharashtra Act No. Xxiii of 1974) laid down that the University shall fulfil these aims by (a) providing facilities for instruction, teaching and training in various branches of learning and courses of studies and research, and (b) making provision to enable conducted, constituent and affiliated colleges, and recognised institutions to undertake specialised studies [in 1974, medical education was still under university] (Pune University Act 1974:6) [hereafter PUA, 1974]. The Act stated that the university will: on institution creation (a) establish, maintain, and manage departments and institutions of research or specialised studies, and (b) colleges, institutions, halls, hostels and gymnasiums; (c) create, select, and recruit teachers, institutional heads and other such academic positions, and non-teaching employees; (d) prescribe courses of instruction and studies for the various examinations, and (e) guide teaching to improve the standards in colleges by deputing teachers from a pool of teachers of the University. The universities will also institute and award degrees, diplomas, certificates, and other academic distinctions based on examinations, tests, etc., to those who pursued regular or correspondence courses of the university and its institutions (PUA, 1974:6-7).

The 1974 Act also empowered the university to designate a college, institution or department as an autonomous entity, as prescribed by the Statutes; inspect colleges and recognized institutions and ensure that proper standards of instruction, teaching and training are maintained in them, and control and coordinate the activities, and give financial aid to these colleges and recognized institutions (PUA, 1974:08). The Act gave the power to *make University as a centre of social and economic transformation through education as envisaged in the preamble, directive principles and other provisions in the Constitution of India; and make special provision to extend university education to socially and educationally backward classes and communities, women, and rural areas*. In respect of students, the university was expected to (i) prescribe or control the fees and other charges to be received or recovered by the managements of the colleges and recognized institutions; (ii) supervise and regulate the residence, and discipline of students under its jurisdiction; (iii) make arrangements to promote the health, corporate life, and extra-curricular and welfare activities of students and employees (PUA, 1974:08, emphasis added). Besides, the university was to make provision for: (a) National Service Scheme; (b) National Cadet Corps; (c) National Sports Organisation; (d) physical and military training; (e) extra-mural teaching and research; (f) the Students' Council; (g) any other activities directed towards cultural, economic and social betterment; and (h) provide for special training or coaching for competitive examinations for recruitment to the public services and public undertakings (PUA, 1974:09).

The 1974 Act empowered the university to establish, maintain and manage: (a) Printing and Publication Department; (b) University Extension Boards; (c) Information Bureaus; (d) Employment Guidance Bureaus; (c) Cooperative Societies; and (f) Health Services; establish co-operation or collaboration with any other University, authority or organisation, as the Executive Council may determine; and promote the study and the use of Marathi as a language and medium of instruction and examination (PUA, 1974).

Maharashtra Universities Act, 1994: This Act was enacted to unify, consolidate and amend the law relating to non-agricultural and non-technical universities in Maharashtra. The Act was warranted in deference to the recommendations of

various committees and expert groups and the experience gained in implementing the present university Acts. Thus, it was felt necessary to: make provisions to enable each university to effectively carry out its objects, powers and duties, *promote more equitable distribution of facilities for higher education*, provide for more efficient administration, financial control, better organisation of teaching and research, ensure proper selection and appointment of teachers and other employees, provide for representation of students and teachers on various bodies of the university, take measures for curbing or eradicating undesirable non-academic influences detrimental to maintenance of discipline and standards of education or academic excellence in the universities, and related matters (Government of Maharashtra [GoM, hereafter], 2003:6, emphasis added).

The Maharashtra University Act, 1994 which became a common Act for all non-agricultural universities in Maharashtra, provides an exhaustive list of (60) powers and duties. The articulation of objects is in heavy legal vocabulary and what is attempted below is a very simplified classification of some provisions of the Act, in respect of its different functions:

(i) *Knowledge creation, promotion and dissemination*: (a) promotion of knowledge and learning in traditional and new fields, and related engagements through high quality research, and strengthening education at under-graduate and post-graduate levels; (b) creating a comprehensive digital university framework for both e-learning and e-administrative services, and (c) cultivation of research parks, technology incubators that promote the university objects;

(ii) *Creation and managing institutions*: (a) setting up of departments, schools, and centres of studies, affiliated and autonomous colleges and specialized institutions of study and research; (b) recognition and affiliation of institutions and colleges, its extension and continuation; and (c) monitoring and evaluation of academic performance of the departments, centres, institutions and colleges, directly under its purview and jurisdiction;

(iii) *Creation of teaching and non-teaching positions* in the university and its constituent institutions, including institutional heads, from the University funds and other funding agencies; selection and recruitment of various categories of personnel

for teaching and non-teaching positions and fixing pay scales along with the selection criteria; and spell out measures for their professional development and welfare; and

(iv) *Instituting degrees, diplomas and certificates* for different courses of study of the university, its constituent, affiliated colleges or recognized institutions and award them after conducting evaluation and examinations, and declaration of results/completion of courses (GoM, 2003:7-9).

In respect of fees, conduct, discipline, healthy atmosphere and welfare of students, the university had the power to (a) fix, collect and recover fees and other charges from students for different courses; (b) supervise and regulate the conduct and discipline of students of the university, colleges and other institutions and hostels; (c) provide for their mobility to other universities in and outside the State; and (d) promote healthy atmosphere and welfare of students. In addition, make provision for participation of students in NSS, NCC, Home Guards and civil defense, national sports organisation, etc., as envisaged in 1974 Act (GoM, 2003:10).

As per the 1994 Act, for teachers, the university has to (i) provide for training, workshops and learning exercise in the domain of quality and set up internal quality assurance for quality improvement of teachers and non-teaching employees, (ii) regulate and provide for attendance of teachers on premises of university, colleges, institutions during teaching hours and non-teaching employees during office hours, and prohibit teachers from taking tuitions beyond office hours, and lay down and enforce conduct and discipline rules for teachers and non-teaching staff as prescribed by State Government, and (iii) provide for periodic assessment of academic performance of teachers along State Government and UGC norms (GoM, 2003).

For extension and community relevance, the university had the power to (i) establish, maintain and manage, whenever necessary Knowledge Resource Centre, university extension boards, information bureaus, employment guidance bureaus, autonomous evaluation boards, and such other facilities; (ii) start programmes related to lifelong learning and extension; (iii) undertake programmes, services and activities directed towards cultural, economic and social betterment, as

necessary and possible; (iv) make special provision for the benefit of university education to classes and communities which are socially and educationally backward, women and differently-abled and rural and tribal areas; and (v) implement the national literacy and adult education programmes through teachers and students on voluntary basis in the university system. The university should explore possibilities of augmenting resources of the university, complying with UGC and central government norms (GoM, 2003:11).

Maharashtra Public University Act, 2016: This Act was formulated based on the recommendations of the Apex Review Committee (Kumud Bansal Committee, 2012) as well as Anil Kadkokar and Ram Takwale Committees (2010-11). The Act states: “... after considering the recommendations of the said committees the Government of Maharashtra considers it expedient to make a law to provide for academic autonomy and excellence, adequate representation through democratic process, transformation, strengthening and regulating higher education ...” (GoM, 2017: 1).

A few more progressive facets of its objects seek to: (i) promote freedom, secularism, equality, social justice as enshrined in the Constitution of India, and to be catalyst in patriotic, socio-economic transformation by promoting basic attitudes and values of essence to national development; (ii) promote conducive environment for ensuring social harmony, coexistence, integral humanism and upliftment of the poorest of the poor; (iii) extend the benefits of knowledge and skills for development of individuals and society by associating the university closely with local, regional and national problems of development; (iv) carry out social responsibility as an informed and objective critic, to identify and cultivate talent, to train the right kind of leadership in all walks of life and to help younger generation to develop right attitudes, interests and values; (v) promote national integration, fraternity and preserve cultural heritage and inculcate respect towards different religions and diverse cultures of India through the study of different religions, literature, history, science, art, civilisations and cultures; (vi) promote better interaction and co-ordination among different universities, institutions and colleges in the given university, other universities in the State, in the region, in the nation and at global level by all such means generally to improve

the governance of the university and facility it provides for higher education; (vii) generate and promote a sense of self-respect and dignity amongst the weaker sections of the society; (viii) promote gender equality and sensitivity in society; and (ix) strive to promote competitive merit and excellence as the sole guiding criterion in all academic and other matters relating to students (GoM, 2017: 9-14). These read like the Constitutional values.

These are further elaborated in greater details than those given in the 1994 Act that focuses on aspects like Learning and Advancement of Knowledge, Institution Creation, Autonomous and other Institution: (GoM, 2017). On teaching and non-teaching positions, the 2016 Act resembles the provisions of 1994 Act. In respect of courses of instruction, under the 2016 Act, the university has to (i) prescribe courses of instruction and studies for various examinations leading to specific degrees and diplomas or certificates; and (ii) prescribe the course of instruction and studies for choice based credit system (CBCS) in a standalone format or joint format with other state or national or global universities. There is no difference in the university's functions on admission and awarding Degrees and diplomas from 1994 Act. On Affiliation and disaffiliation, autonomy and academic monitoring, provisions of 2016 Act are a replication of those contained in 1994 Act.

On Students, the new feature in the 2016 Act is the provision for mobility from formal to non-formal stream and vice-versa, and also among other universities within and outside the State. This is besides the promotion of the healthy atmosphere, corporate life and welfare of students and employees of the university, colleges, schools and institutions. In addition to study of Marathi, emphasis was laid on the study of foreign languages, particularly Asian languages. The emphasis on creation of a comprehensive digital university framework for both, e-learning and e-administrative services, and exploiting the power of 'learning by collaboration' and 'participation' with use of ICT is noteworthy in the 2016 Act (GoM, 2017).

In sum, all the three Acts enjoin the universities to create, maintain and manage institutions, and provide greater scope and breadth in learning and as the time went, adding new ones on par with the emerging knowledge and learning needs and technologies. Although the 1994 Act provided the power of affiliation, its extension and continuation of colleges and institutions of higher education to the university, as

the case with affiliating universities, contemporary observers noted, this power of the university was taken away by the government to itself. The most notable feature that one observes is the conscious and explicit articulation, in all the three Acts, about the university role in forging HE as an instrument of socio-economic transformation and the universities' duties to promote national integration, fraternity and preserve cultural heritage and inculcate respect towards different religions and diverse cultures of India through the study of different religions, literature, history, science, art, civilisations and cultures. These Acts are also notable for its emphasis to generate and promote a sense of self-respect and dignity amongst the weaker sections of the society and promote gender equality and sensitivity in society. A significant new feature in the 2016 Act is the setting up a Committee, for fixation of fee, separately for each UG and PG course run by the university, colleges, and institutions under its jurisdiction, whereas in the 1994 and 1974 Acts, the Executive Council decided about the fees. The Maharashtra State Commission for Higher Education and Development, which was called the Maharashtra State Authority for Higher Education (MAHED), has been envisaged as the authority of the Government in charge of, and responsible for, the higher education, including technical, medical, management, professional education, in the State. While the Bill introducing the 2016 Act was an expression of the intent to curb the rampant commercialisation in higher education, the 2016 Act did not mention this phenomenon or any measures to curb it in any of its provisions.

Composition and Functions of Policy Bodies in Maharashtra Universities Acts

In examining the composition and functions of the different policy bodies as spelt out in the Maharashtra University Acts, 1974, 1994 and 2016, one gets a flavor, their similarities and the changes, as witnessed over four decades of Maharashtra HE. Equally important, we get to see the external pressures that not only interfered with the functioning of these bodies, but also increasingly curtailed the autonomy of the universities. It would be prudent to point out one caveat about this section, i.e., the repetition of details of the composition and function of the different bodies from one University Act to another.

Senate: Composition

Pune University Act, 1974: The composition of the Senate, according to the Pune University Act, 1974 runs along “ex-officio”, “elected” and “other members” categories. Under all these categories, there are references like “one-third”, where the exact number is difficult to make out. The ex-officio category, where the number is clear, comes to 17, consisting of the Chancellor, Vice Chancellor (VC), Directors: Education; Higher Education; Technical Education; Art; Medical Education, etc. The “elected members” category is essentially from heads of recognized institutions, teachers, Registered Graduates, Students Council, Chancellor and VC nominees, MLAs, MLCs, and representatives from Municipal Councils, Zila Parishads, cooperative societies, etc. (PUA,1974: 23-24). In our count, the total number of members of the Senate comes to 122.

Maharashtra University Act, 1994: The ex-officio and individuals category includes the Chancellor, VC, PVC (if any), Director: Higher Education, Technical Education, Medical Education, Board of College and University Development, Students’ Welfare, University Library, Adult and Continuing Education and Extension, 18 Principals of affiliated, conducted, recognized colleges and institutions, 8 representatives of managements of affiliated colleges or recognized institutions, elected by their electoral colleges, President, Secretary and other 2 members of the Students Council, 20 teachers (three women and 2 SC/STs) from university department and institutions under university jurisdiction, 2 MLAs and 2 MLCs, 10 Registered Graduates, elected from their electoral college (1 woman, and one SC/ST), 7 Chancellor nominated eminent persons, 2 heads of recognized institutions nominated by Chancellor, 3 among HODs, and 2 employees, nominated by the VC, Deans of Faculties, 1 representative among donors, 5 PG teachers, 1 representative of Education Committee of ZP within university area, and one from the Municipal Council/Corporation within the university area, to be nominated by the VC. These add up to 88 (Government of Maharashtra [GoM], 2003:30-32). Among the 18 Principals and 8 representatives of managements of affiliated colleges or recognized institutions, most of them would have been from the unaided colleges - a sign of their rising influence in the university affairs.

Maharashtra University Act, 2016: In the 2016 Act, the members of the Senate included in the individuals category [a classification adopted for ease of understanding] the Chancellor, VC, PVC; Deans of Faculties, Directors of: Board of Examination; Finance and Accounts; Sub-Campuses; Innovation, Incubation and Linkages; Higher Education; Technical Education; Knowledge Resource Centre of the University; Board of Student Development; Lifelong Learning and Extension; and the Registrar as Member Secretary. This makes it to thirteen to fourteen, assuming more than one Deans of Faculties (GoM, 2017:38-39). In the group category, those with clear number of members include: ten Principals of affiliated, conducted, autonomous colleges; six representatives with one from SC/ST; President and Secretary of Students' Council; ten teachers, elected from collegiums of teachers, with one among SC/ST; three teachers of university, with one from SC/ST; ten Registered Graduates, elected from collegiums of Registered Graduates; ten experts from different fields nominated by Chancellor; two employees -- one from the university and the other from affiliated colleges; two MLAs and one MLC; one member of Municipal Council/Corporation; one representative of Education Committee of the Zila Parishads within the university area. These add up to 45 and altogether, about 70. In the individual category, although effectively as ex-officio category, the number had increased from within the university to represent the vision and voice of its developed and expanded academic and management system. This was particularly the case in the Universities Act 2016. Two other significant and explicit changes in the Act 1994 and 2016 were the social and gender representation and the return of the "elected" category of students union in the composition of the Senate (GoM, 2017:39-40). The proportion from unaided colleges and institutes, viz. ten, was greatly reduced.

Functions

Pune University Act, 1974: As per this Act, the Senate shall: (i) recommend to the Executive Council [EC] to: provide for instruction, teaching and training in such branches of learning and courses of studies for research, and for the advancement and dissemination of knowledge; (ii) make such provision as may enable colleges and institutions to undertake specialisation of studies, and for common laboratories, libraries, museums and equipment for teaching and research; (iii) recommend the

establishment and maintenance of colleges, departments, halls, hostels and institutions of research and specialized studies; (iv) institution and conferment of degrees, diplomas, certificates and other academic distinctions; (v) conferment of autonomous status on University Departments, Colleges and recognized institutions; (vi) confer, on the recommendation of the EC, honorary degrees or other academic distinctions; and (vii) make, amend or repeal Statutes and consider and refer back but not amend, Ordinances (PUA,1974:24).

Maharashtra University Act, 1994 states that the Senate shall: (a) review current academic and collaborative programmes; and (b) suggest: (i) new academic programmes consistent with the societal requirements in higher education; (ii) measures for improvement and development of the university; (iii) institution of new degrees, diplomas, certificates and other academic distinctions; and (iv) confer, on the recommendations of the Management Council (Executive Council in 1974 Act), honorary degrees or other academic distinctions; (c) receive, discuss and approve the annual financial estimate, the annual reports, and accounts and audit reports of the university; and (d) review the broad policies and programmes of the university and suggest measures for its improvement (GoM, 2003:33-34).

Maharashtra University Act, 2016 states that the Senate shall: (a) review the broad policies and programmes of the university and suggest measures for its improvement and development; (b) give suggestions to the university authorities on improvements in all areas and domains, viz., academics, research and development, administration and governance; (c) review current academic and collaborative programmes; (d) suggest new academic programmes consistent with the societal requirements in higher education; (e) discuss and approve the annual financial estimate (budget), annual accounts and audit reports of the University; (f) approve comprehensive perspective plan and annual plan for the location of colleges and institutions of higher learning, as recommended by the Academic Council; (g) review and adopt the University Registrar's report of students' grievance redressal; (h) review and adopt the reports of the Board of Students' Development and Board of Sports, presented by the concerned Directors; (i) give suggestions to the University authorities on improvements in the area of Student Welfare, Sports, Cultural activities of the University; and (j) make, amend, or repeal statutes (GoM, 2017:40).

Executive/Management Council: Composition

Pune University Act, 1974: In the composition of the EC, the individuals category includes Vice-Chancellor, one nominee of Chancellor, Directors: Higher Education; Technical Education; Medical Education and Research; one HOD of University, elected among HODs, one Dean elected by the Deans of Faculties. This makes it to seven. From the group category, two among the Principals, as elected by Senate; two teachers, other than Principals and Heads of University department; seven persons elected by the Senate from other than teachers, Principals and Students members; three persons representing the Faculties, elected by the Academic Council. It makes it to 14. Other than Chancellors' nominee, there is a Vice-Chancellor nominee in the EC. The terms of elected and nominated members would be 3 years. No more than two terms for nominated and for elected members (PUA, 1974: 23-24).

Maharashtra University Act, 1994: The individuals member category includes the VC, PVC, one Dean (elected from among them), one person (Chancellor nominee), Secretary, Higher Education, Directors: Technical Education, Higher Education, a head or Director of the university from among them, nominated by Senate, Director, Board of Colleges and University Development, one teacher from university department, one person elected by Senate from its members from other than Principals, teachers, students or representative of management; the Finance and Accounts Officer and Controller of Exams will be permanent invitees with no voting power. This makes it to 12 (GoM, 2003). The group category includes two Principals from the same category of members of the Senate with one of them being SC/ST, two teachers from affiliated colleges (one of them women), three persons elected from among Academic Council members, two representatives of management, and one of them a woman. These add up to 9. The total number of Management Council is 21 (GoM, 2003).

Maharashtra University Act, 2016: The Management Council in the 2016 Act includes the VC; PVC; one eminent person from the field of education, industry, agriculture, commerce, banking, finance, social and culture and allied fields to be nominated by Chancellor; two Deans, Vice-Chancellor's nominees; one Head or Director from University department /Institutions; two Principals elected by the Senate from Principals in the Senate of whom 1 or 2 from SC/ST; two teachers; two

representatives of management [unclear whether from unaided institutions], elected by the Senate; two Registered Graduates (one of whom from SC/ST); two members elected by Academic Council one teacher and another women; one eminent expert from Institutes of National repute; Secretary, Higher Education; Director: Higher Education, Technical Education; and Registrar, as Member-Secretary of MC. In all, the MC has 21 members (GoM, 2017: 40-42). It is noteworthy the size of the EC/MC continued to be the same both in the 1994 and 2016 University Acts.

Functions

Pune University Act, 1974: As the executive body of the University, the EC, given its compact size – 15, by conscious design, is the most powerful executional arm of the university structure and system. Its power, duties and functions are overarching, spanning across creation of institutions for learning and research, providing for knowledge creation and dissemination, through research, teaching and learning. It also extends to creation of teaching and non-teaching positions in the University and its institutions of learning and research, through the recommendations of the AC. Similarly, it is also responsible for managing the resources, both physical and financial. It is the EC that is responsible for the overall management and governance of the University (PUA, 1974: 24-27).

The EC: (i) makes provision for instruction, teaching, guidance and training in such branches of learning and courses of studies, and for research and the advancement and dissemination of knowledge, as it thinks fit; (ii) enables colleges and institutions to undertake specialisation in studies, and provides for common laboratories, libraries, museums and equipment for teaching and research; (iii) establishes and maintains colleges, departments, halls, hostels, gymnasiums and institutions of research and specialized studies; and (iv) institutes degree, diploma, certificate and other academic distinctions; (v) confers autonomous status on university departments, colleges and recognized institutions, on the recommendation of the Academic Council and the Senate; (vi) makes, amends or repeals Ordinances, and prepares drafts of Statutes and makes such recommendations thereon to the Senate as it thinks fit, and accepts, rejects or refers back any Regulations framed by the Academic Council (PUA, 1974:24-25).

In respect of asset and facilities, the EC had the power, among others, to hold, control and administer the property and funds of the University; manage and regulate the finance, account, investment, properties, business and all other administrative affairs of the University and borrow, lend or invest fund on behalf of the University; provide buildings, premises, furniture, apparatus and other means needed for the conduct of the work of the university. The EC also had the power to arrange for inspection of UG and PG programmes in Colleges with a view to assessing their academic performance and needs, including adequacy of student amenities, supervise and control the admission, residence, conduct and discipline of the students of the university, and make provision for promoting their health and general welfare (PUA, 1974).

With respect to Students and Teachers, the EC was empowered to award fellowship, travelling fellowship, scholarships, studentship, exhibition, medal and prize to Students; and appoint officers and other employees of the university, in accordance with the qualification norms, fix their emoluments, define the terms and conditions of their service and discipline, and where necessary, their duties; appoint university teachers in accordance with the qualifications prescribed by Academic Council, fix their emoluments, define the terms and conditions of their service and discipline and, such other matters (PUA, 1974).

The EC had the power to appoint examiners and moderators and, where necessary, remove them, fix their emoluments and fee, travelling and other allowance, and arrange for the proper conduct and timely publication of results of University examinations and other tests; cancel examination, in part or in whole, in the event of malpractices, and take disciplinary action against any person or group of persons or institutions found guilty of such malpractices. The EC was also empowered to recommend affiliation of colleges to the Senate; and fix, demand and receive such fees and other charges as regulated by the Ordinances; exercise such other powers as may be conferred on it by this Act, Statutes, Ordinances and Regulations (PUA, 1974: 26-27).

Maharashtra University Act, 1994: In respect of powers, functions, and duties, the Management Council (MC) is the most powerful organ of the University to: execute the objects and various key aspects concerning physical, academic, financial, and

personnel-related matters of the University. The EC takes the decision regarding various functions of the Universities; provides for establishing departments, colleges, schools, institutions of higher learning, research and specialized studies, hostels and housing for staff, on the recommendation of the Academic Council; makes Regulations for collaboration with other universities, institutions and organisations for mutually beneficial academic programmes as recommended by the Board of College and University Development; institutes and confers such degrees, diplomas, certificates and other academic distinctions including convocation as recommended by the Academic Council; institutes fellowships, scholarships, studentships, awards, medals and prizes, etc., as per Regulations; and confers autonomous status on university departments affiliated colleges and recognized institutions on AC's recommendations, and as per State Government/UGC norms (GoM, 2003: 34-36). Similarly, regarding assets and facilities, recruitment of teaching and non-teaching staff and prescribing the fees and other charges from students, honoraria and allowances for paper-setters, etc., the EC had the same powers as in 1994 Act (GoM, 2003).

Maharashtra University Act, 2016: The powers, functions and duties of the MC in this Act continued unchanged from its 1994 predecessor Act. It is the MC's task for making provisions for research and institutional arrangements like establishment of departments, colleges, schools, centres, institutions of higher learning, research and specialized studies, on the recommendation of the Academic Council. Regarding assets and finances, the MC in 2016 Act had all the same powers as its 1994 predecessor. Similarly, the MC has the power to conduct inquiry on any matter concerning the proper conduct, working and finances of colleges, institutions or departments of the university. It has the power to deal with cases related to violation of prescribed fees according to the provisions of Maharashtra Educational Institutions (Prohibition of Capitation Fee) Act, 1987 and other relevant Acts (GoM, 2017: 43-44).

In the 2016 Act, the MC had the role to provide physical and academic facilities; institute and confer honorary degrees and academic distinctions including degrees, diplomas, etc.; institute fellowship, scholarship, studentship, awards, medals and prizes; make regulations for collaboration with other universities,

institutes and organizations for mutually beneficial academic programmes; create, select, and fix qualifications, salary scales, working conditions, promote welfare, prescribe their duties and conduct of university teachers and non-vacation academic staff as also of other employees, and those rendering service to the university, from university funds and from other sources; and confer autonomous status on university departments, university institutions, affiliated colleges and recognized institutions. The 2016 Act does not stipulate the MC's role in fixing fees and other charges from students, as this is handled by the court appointed committee. On enforcing students conduct and discipline, the 2016 Act is not explicit except to develop and adopt students' charter (GoM, 2017: 44).

To sum up, through the lens of the three University Acts, 1974, 1994 and 2016, we get to know the two key bodies of the university, dealing with policy, executive and academic functions, their composition and functions in the university administration, governance and management dimensions of HE system in the state. We also get a feel of the changing contexts wherein at least in the case of Maharashtra, there has been a strong social and gender equity thrusts mandating reservation and representation along social and gender lines in the various policy and academic bodies. The composition and functions of the Senate and Executive/Management Council and other such bodies over the four decades had shown the increasing impatience of the private managements over the universities' regulatory powers to curb commercialisation in higher education. In most cases owned by the politicians in the government, there was an unmistakable intent to concentrate all the functions of the university in the hands of the government. The policy trajectory of Maharashtra HE is replete with the amendments to the University Acts of 1974 and 1994, through the 1980s and '90s in such a way that all important decision making powers in the areas of appointments, finance, affiliation, making, amending and repealing statutes, ordinances and regulations would rest in the hands of the Chancellor/state government.

2. Governance of University in Maharashtra: Government Over-centralization Curbing University Autonomy²

The Higher Education policy trajectory of Maharashtra is a witness to a very large number of educational philanthropies making a decisive beginning from late 19th and early 20th centuries often tinged with an intense passion for social and regional equity and inclusions, getting devoured by the commercialisation wave in the 1980s. The bureaucratic and government control on university governance and management systematically eroded its autonomy. The private managements in HE, generally engineering and professional colleges, often owned by powerful political heavyweights in the government sought to protect their commercial interests, be it their representation in the university policy-making bodies, or resistance to abiding by university and UGC rules and norms on quality in admissions or the fee structure. The Pune University Act 1974, Maharashtra University Act, 1994 and Maharashtra Public University Act, 2016 are a witness to the bureaucratic-political nexus in the composition of its policy bodies, systematic erosion of university autonomy and powers to enforce quality norms in admissions, teaching-learning facilities and teachers. At the same time, it is also a commentary on the university's efforts to promote high quality higher education through economic development, social progress and constitutional values, and curbing commercialisation, etc.

Governance may be viewed as a way in which administration and management bodies of universities and the colleges deliver educational programmes as well as manage the functioning of the administration and management bodies itself. Governance also includes the way in which the different policy-making and executive bodies function, management of the academic and non-academic staff, and the way universities/colleges/institutions are run in line with their aims and functions. Governance would also imply the institutions' negotiating style with outside pressure and influences interfering with its functioning. The external influences and pressures threatening the smooth governance of the universities and colleges in the last four decades—from the time of Pune University Act, 1974 to the Maharashtra Public University Act, 2016—are surveyed here. Also examined here are the series of

² A larger version on this topic has appeared in the *Journal of Educational Planning and Administration*, Vol. XXXII, No. 2 (April-June, 2018), pp. 125-38.

committees set up between 2009-12 to examine and recommend measures to guard university governance, curb the menace of commercialisation, political-government interference, over centralisation, etc.

Non-Educational Consideration in Location of Universities and Colleges

The present state of Maharashtra comprises three regions, viz., (i) Rest of Maharashtra (which includes Western Maharashtra, Konkan and Mumbai City, (ii) Vidarbha, and (iii) Marathwada. Maharashtra State was created on the 1st of May, 1960 by merging two Marathi-speaking areas of Marathwada (which formed part of the former Hyderabad State) and Vidarbha (which formed part of the former Madhya Pradesh State). In developed regions (especially Western Maharashtra), private sector was playing a major role in education and industry. In Marathwada region, condition was different. Private educational institutions, health services, and industrial entrepreneurship were almost non-existent (Kurulkar, 2009: 261).

A Correspondent to the *Economic and Political Weekly (EPW)* commented that the trend behind locating educational institutions – universities and colleges in Maharashtra has never been educational, i.e., educational viability. It was a combination of geographical and socio-political considerations and interests of politicians. This followed the earlier patterns: just as in the case of sugar barons and leaders of cooperative movements starting colleges in their districts and taluks in the 1950s and 60s. The *EPW* Correspondent assessed that the success of the agitation in Marathwada region for a separate agricultural university was assured as S B Chavan, the Head of Agricultural Department was keen because it was his region. This was just like the agitation that took place three years ago in Vidarbha region for a separate agricultural university that got allocated later. This was a protest against the first agricultural university being located in Rahuri in Ahmadnagar district. Chief Minister Naik foresaw the signs of protest in Konkan, his region and agreed in principle to locate a separate agricultural university in Konkan region (*EPW*, 1972: 861). Thus, Maharashtra is a case of four agricultural universities being started in the same state, whereas most other states had only one agricultural university. Regional considerations for employment were the reasons for separate university. This trend of educational institutions, as institutions in state sector, being established on regional and socio-political considerations continued unabated even in the 1980s. Maharashtra,

which has a singular distinction in this domain, is completely different when it comes to the establishment of privately owned educational institutions.

Writing in 1981, Deshpande noticed that it has been the intention of the government to start two universities since 1971, one in Vidarbha and another in North Maharashtra and the papers were already prepared. However, it did not take off due to the opposition of UGC (Deshpande, 1981). A. R. Antulay who became Chief Minister in 1980 announced his intention to start a new university in his area – Konkan University. A committee was appointed for this purpose and it submitted its report. But the UGC did not give a go ahead in the matter. Thus, when the Konkan University proposal was under suspension, another announcement came for a university in North Maharashtra at Nasik, the district of Education Minister (EM). There was immediate rumbling from Vidarbha against setting up new universities in North Maharashtra overlooking their region. The CM announced his intention to set up a new university in Jalgaon, another town in the Northern Maharashtra (Deshpande, 1981). It is evident that the pressure exercised by the CM, EM and other political leaders affected the creation of a new university, up till the 1980s.

Universities as Government Departments

In respect of governance and management of the university and higher education system in Maharashtra, one finds a consistent and increasing trend, over the decades, of bringing it under the government control. This manifested among others in the (i) resistance by the bureaucracy to implement the Pay Commission recommendations of revision of pay scales to university and college teachers even four-five years after it was implemented to other government servants; (ii) consistent efforts to amend the Pune University Act of 1974 to erode the autonomy of the university and increase the government control, by packing the policy bodies with government nominees and representatives of unaided private managements and at the same time reducing the representatives of teachers and students; and (iii) protecting the interests of privately owned higher education enterprises owned by politicians in the government in most cases.

A commentator of *EPW* observed, “The most recent onslaught on the autonomy of Universities is the Maharashtra Universities (Second Amendment)

Bill 1977, the state government will rush the bill through the current session of the assembly". The bill sought to amend Sections 42 and 77 of the Maharashtra Universities Act 1974. Section 42 provides, inter alia, that any confirmed employee who is dismissed, removed, or reduced in rank shall be entitled to appeal to the Tribunal of Arbitration consisting of one member nominated by the management, one member nominated by the employee concerned, and an umpire appointed by the Executive Council. The decision of the Tribunal shall be final (*EPW*, 1977: 1205). The second amendment sought to be made to Section 77 of the Act, as *EPW* viewed it, was in some ways even more significant. The bill stated that "the state government may, for the purpose of securing and maintaining uniform standards, ... prescribe a standard Code for defining the classification, duties, workload, pay, allowances, post-retirement benefits, other benefits, conduct and disciplinary matters, and other conditions of service of the officers, teachers and other employees of the University and the teachers and other employees in the affiliated colleges and recognised institutions ...". The bill stated it will supersede all earlier provisions in the University Act, 1974 (*EPW*, 1977).

The *EPW* goes on to cite that "Without the prior approval of the state government or an officer authorised by it in this behalf, the University shall not (a) create any posts of officers, teachers or other employees; (b) revise the pay, allowances, post-retirement benefits and other benefits of its officers, teachers and other employees; (c) grant any special pay, allowance, or other extra remuneration of any description whatsoever,...; (d) divert any earmarked funds for any other purposes, or (e) incur any expenditure on any development work (*EPW*, 1977). In *EPW*'s assessment, "It may appear superficial that the bill amends only two Sections of the Maharashtra Universities Act 1974, but in fact its effect will be to nullify the powers and duties of the Senate and the Executive Council of the Universities in the state which have been so carefully elaborated in the Act. Especially the proposed amendment to Section 77 *destroys, in half a printed page, the entire autonomy of the Universities and their various bodies*" (*EPW*, 1977, emphasis added). The source of friction remains the same, namely, the government's attempt to establish control over the universities. Despite publicly voiced opposition from Bombay University, the Universities Act of 1974 was amended in the early 1977. The amendments sought to establish greater state control over the universities

through the office of the Chancellor: Vice-Chancellors have been made completely subservient to the Chancellor.

The government introduced a Bill on July 21, 1984 seeking to replace the 1974 Act by a common law covering all the seven non-agricultural universities in the state. Bombay University's Executive Council (BUEC), at a special meeting on September 5, unanimously disapproved of the Bill because it found the Bill has no provision for representation of registered graduates in the Senate while the number of teacher representatives has been sharply reduced. Accordingly, if the Bill is passed, there would be no registered graduates in the Executive Council while the representation to teachers would be curtailed (*EPW*, 1984). The BUEC disapproved this amendment, and in its report recalled that the Act of 1974 viewed giving wider representation to students and teachers in certain bodies of the university as a means by which the government hopes to improve the governance of the university and the facilities it provides for higher education. The Bill proposed to decrease the strength of the Senate to 90 inclusive of only about seven elected teacher representatives.

The BUEC summed it up saying "all important decision-making powers in the areas of appointments, finance, affiliations, making, amending and repealing statutes, ordinances and regulations would rest in the hands of the Chancellor/state government. The Chancellor would be able to dismiss both members of the Senate and other bodies as well as Vice-Chancellor". With regard to such concentration of powers, the BUEC's report argues: "It is the experience of the universities in Maharashtra that government approval, whether for appointments or for financial support or for affiliations takes a very, very long time. If a large proportion of the day-to-day problems of the universities is going to require prior or subsequent sanction/approval of the Chancellor/state government the very purpose of the proposed Bill, viz. better governance of the university, is likely to be defeated" (*EPW*, 1984).

Writing in the same year, Deshpande summed up the damage that the new University Act 1984 Bill would spell to the university autonomy. In the proposed 1984 Act, Senate and EC size will be reduced from 200 to 90 and from 21 to 15 respectively. Representation of university graduates in the Senate was altogether abolished, and that of students, teachers and principals would be reduced, in some cases,

to one-fifth of present size; Senate will be a consultative (advisory) and not an executive body; Granting recognition and affiliation will be taken over by the government from the university; Seven of the 15 EC members will be either serving employees of the government or its nominees or the Chancellor. The VC can overrule the decision of the EC., and the Chancellor can give such direction to the VC; and a common law for all the universities in the state will help the government to enforce its rules and compliance, and it would be easy to shift affiliation of the college from one university to another easily (Deshpande, 1984: 1733-34).

The continued assault on university autonomy was a persistent trend in Maharashtra, and Deshpande shows how the Maharashtra Universities Bill, 1993, another attempt to amend the Pune University Act, was a “backward step”, in this regard. “The government bill, instead of taking any steps towards greater autonomy for the universities, abridges it further; by weighing the mode of selecting a vice-chancellor further in favour of the government; and by increasing government nominees on various bodies and at the same time, reducing the representation of teachers and Principals on them. It also imposes further restrictions about recruitment of personnel in a university” (Deshpande, 1993: 436).

Deshpande points out that the recent entry of a large number of donation-based colleges, whose main aim is to ensure a quick and handsome return on investments, had created an altogether new set of problems for the university. It is not realized by the public that every new college (along with its Principal, and its management), once granted affiliation, has a voice in the running of the university, often influencing the decisions of its academic bodies. Deshpande goes on to show that most of these managements (more than a dozen unaided private engineering colleges) have a close link with ruling political circles, making the task of checking their ill influence even more difficult. A most urgent task before any university in the country today, he said, is to devise methods that will minimise the role of money-power in academic matters and institutions where academic considerations are secondary. The 1993 bill proposed by the Maharashtra government is entirely silent on this issue. Considering that most of the cabinet members (including the two education ministers) themselves are involved in running such degree-shops, this is perhaps not surprising. The total silence of the authorities in the various universities is however hard to understand.

The three main reasons why universities in India urgently need restructuring, according to him, are: (1) to devise effective methods to ensure the separation of educational matters from the government of the day and preserve and strengthen the autonomy of the universities; (2) to carry out extensive administrative restructuring with an adequate number of full-time executives and proper demarcation of duties of the various organs of a university; and (3) To control and tame the private, profit-motivated, colleges which are already playing a dominant and unhealthy role in many spheres of higher education. The bill that is before the assembly in Maharashtra is not designed even to look at any of these problems, let alone remedy them (Deshpande, 1993: 437).

In 1994, the government of Maharashtra decided to enact a uniform law for all the universities in the state for better governance in universities, to promote more equitable distribution of facilities for higher education in different areas of state, and to provide efficient administration, financial control and observance of law in all matters. Another main purpose of this act was to allow greater participation of different elements of society in the affairs of universities. The strength of the senate was increased and seven (out of fifteen) seats in the powerful executive council were given to people who did not belong to the teaching profession. According to Chousalkar, this was not without a reason. After 1982-83, the number of colleges in the universities increased and most of these colleges were non-aided professional colleges. The seven members of the executive council from outside the teaching profession began playing an important role because now the powerful private managements supported them. The universities ignored their malpractices. They gave admission to more students than permitted by the university and sought the help of the executive committee members to regularise the excess admissions. There emerged caucuses in the universities that excelled in the act of how rules and regulations of the university could be violated (Chousalkar, 2000a: 1348).

Adverting to increasing control of the government in the university, Amrik Singh wrote in 1993 that “During the last quarter century or so in particular, the university system has got so politicized that hardly anyone who is politically unacceptable to the powers that be is appointed as a vice-chancellor” (Singh, 1993). Amrik Singh, time and again, talks of the politicisation of the entire college and

university atmosphere. Writing almost at the same time as Amrik Singh, Dastane observed that “The mushroom growth of colleges, especially in mofussil areas, is mute witness to this happening. *Along with a directorship of a sugar factory or district central co- operative bank, a milk co-operative or a marketing society or membership of assembly or parliament, a chairmanship of an education society running a few colleges from the taluka or district has become a singular indicator of power and prestige. That is how power at the grass- roots level is generated, nursed and mobilised. How many colleges of this type should be allowed to come up? Why cannot the need for a new college be assessed objectively before it is accorded affiliation?*” (Dastane, 1993: 1195-96, emphasis added).

The fact was that the universities got politicised. In fact, a nexus between politician owners and their interests emerged resisting every move of the university at curbing the commercialisation. The government could not have allowed this state of affairs to continue. Therefore, it decided to enact a new uniform act for all the universities of Maharashtra. After much deliberation, the Maharashtra Universities Act 1994 was passed (Chousalkar, 2000a: 1348). Did the 1994 Act reduce outside pressure in the functioning of the university? Did all the universities uniformly curb the commercialisation in the higher education? This could never be the case in Maharashtra. In October 1999, the Democratic Front government consisting of the two Congress parties came to power. There were at least three ministers in the cabinet who regarded their interests as threatened in the university. Also, it was primarily the Congress government that had sought to encourage private managements of colleges. The supporters of private managements demanded a greater say in the university affairs and more representation on the senate and the management council. They wanted to curb the power of the vice-chancellor and an amendment providing for the removal of the vice-chancellor (Chousalkar, 2000a). The government of Maharashtra decided to amend Maharashtra Universities Act, 1994 to accommodate the demands of private education institutes controlled by politicians in Maharashtra, and to discipline Vice-chancellors who followed the law and did not allow these managements to plunder the students. The minister of higher education Dilip Valase Patil gave the promise of amending the act in the legislative assembly of the state (Chousalkar, 2000b:3477).

Various student organisations, teachers' unions, educationists, and academicians opposed the draft bill. But the government ignored their protests and decided to issue an ordinance to amend the act. The ordinance was issued on May 12, 2000, providing greater representation to the managements and tightening the government's grip over the universities. The important aspect of the ordinance was that it sought to increase government's control over the universities. In the 1994 Act, Section 8 gave wide-ranging powers to the state government including that of conducting full audit of the university. It can issue directives for proper exercise of powers and duties that the university has to perform. It is the duty of the university to comply with such directives. Section 5 refers to 59 duties of the university. It asks the university to "comply with and carry out directives issued by state government from time to time with reference to above powers, functions and responsibilities (Chousalkar, 2000b : 3477). Hence, in the ordinance, it has added a new proviso: "Provided that in case the university fails to comply with the directives, the state shall call upon the university to give reasons in writing why directives were not complied with. If the state government is not satisfied with the explanation, it may refer the matter to the Chancellor for taking necessary action under the powers of the Chancellor (Chousalkar, 2000b:3477-78).

One of the main purposes of the amendment, according to another observer was to increase the strength of representatives of private managements and Principals on the senate and management council. "This is an attempt to change the balance of power in the management council, so that the pro-establishment, pro-government lobby in the university enjoys permanent majority in the powerful council" (Chousalkar, 2000b:3478). Like Deshpande, Chousalkar also noticed that the state government in Maharashtra in 2000 was dominated by Congress politicians who controlled educational institutions. "Therefore", he said, "due to their pressure, the government had amended Maharashtra Universities Act, increased tuition fee of engineering colleges two and half times, reserved 15 per cent seats for non-resident Indians in the engineering colleges so that they can gather a large amount of money. Those Vice-chancellors, who insisted that the colleges should pay salaries to their staff, maintain educational standards, provide basic facilities to students, and follow the rules and regulations made by the government were subjected to vile attacks and threat of removal. In the case of D N Dhanagare, Vice-chancellor of Shivaji

University, the politicians and education minister tried their best to remove the Vice-chancellor, but they could not do so because of the Chancellor. But with the help of these new amendments they can attack VCs and browbeat them, thus eroding autonomy of university” (Chousalkar, 2000b: 3479).

There is curiously no literature about ordinances of its further undermining of the university autonomy between say 2003-2010. Maharashtra may be a singularly strange case of education ministers and other political leaders in the government bringing ordinance after ordinance to protect their commercial ventures in the education field by increasing their overwhelming presence in the university policy and executive bodies. This was the case since the 1980s, by introducing amendments through ordinances. Despite the Supreme Court verdict at curbing commercialisation of higher education and imposing strict regulation in admissions and fee structure as seen later, the violations in Maharashtra continued unabated. Looking at the government’s move in 2009 to set up three committees to reform the universities and higher education system, Venkatesh Kumar felt this to be both interesting and intriguing: “It is interesting because Maharashtra with its long tradition of political elites setting up educational institutions for "public good", has decided to get its house in order by looking at reforming the public universities”. “It is quite intriguing” Kumar felt “because the same political class that governs a large number of educational institutions in the state (in fact, they believe that healthy public universities are a threat to their institutions) are now looking at reforming these universities!” (Kumar, 2010:19-20).

Regarding the current state of higher education in Maharashtra, it has been observed that (i) most universities in Maharashtra are facing a severe faculty crunch, the vacancy ranging from 50 to 60% in both UG and PG programmes across disciplines such as engineering, the natural science, pharmacy, management, architecture and the liberal arts; and (ii) in the implementation of the Maharashtra University Act of 1994, *there were external and internal constraints which led to the deinstitutionalisation of many universities, and such deinstitutionalisation in turn has resulted in a severe crisis of governance*. Adverting to the drawbacks in existing legislation, Kumar felt that the law has given the universities unlimited powers upon the affiliated colleges, and over the years, the universities have used this power.

Pressurised by the politicians known as *shikshan samrats* (education barons) and other lobbies, the affiliated colleges were stretched beyond their capacity to accommodate the demand for mass higher education and maintaining excellence in research (Kumar, 2010, emphasis added). Kumar refers to another provision that universities have to comply with the state government's directives on any of the powers, duties and responsibilities assigned to it. Moreover, "the over-control and over-centralisation have been outrageous as seen in action taken on non-compliance by universities". Seeing the trend, Kumar observed that "The state government and the office of the Chancellor have alarming powers to interfere with the functioning of the universities. At times a close connivance between the two resulted in over-centralisation and over-concentration of powers. This led to delegitimisation of the institutional head, with even judiciary expressing concerns over this" (Kumar, 2010).

Kumar noticed that the 1994 Maharashtra University Act "specifies that a government representative is necessary in the selection committee for recruiting faculty member", and wondered, "When there is a Chancellor's nominee in the selection committee, why do we need a government representative?" He felt that a closer look at the functioning of the various authorities of the university such as the Senate, Management Council, Academic Council, Boards of Studies, etc., reveals that some of them are composed of people who represent "the larger public interest". This, he said, has become a breeding ground for individuals seeking upward political mobility and has benefited both "small time political fixers" and upcoming "education barons". Kumar discerns that realizing the need to review the governance structures of the universities, the state government initiated reform, in 2009, in the process of appointments of vice chancellors. He believes that while these reforms have brought about a few desired changes, there is still ample scope for abuse in the reform process. For instance, the provision in the new legislative enactments is the desirability of having a serving bureaucrat (normally of the rank of a secretary) in the search committee. Kumar wonders, would it not lead to interference by the elements that are an external constraint? Interestingly, even in the process of the appointment of vice chancellors of central universities, no bureaucrat from the Ministry of Human Resources Development is involved. Referring to the Committee appointed in 2009 to overhaul the higher education system, Kumar feels that their recommendations

should give space for fundamental principles of autonomy, participatory decision-making and share governance (boards of trustees, educational administrators, state government (Kumar, 2010:21).

Review Committee (2012): Forerunner of Maharashtra Public University Act, 2016

The Committees chaired by Dr. Anil Kakodkar, Prof. Arun Nigvekar, and Prof. Ram Takwale, set up by the State Government of Maharashtra during 2010-11 comprehensively dwelt on the problems and challenges in general Higher and Technical Education sector in Maharashtra. A Review Committee chaired by Kumud Bansal (also known as the Apex Committee) was entrusted with the task to make recommendations to enhance the quality of higher education in Maharashtra while the other two committees were to relook at the legislative framework and to restructure the university set up in the State respectively. The Apex Committee had discussed the problems and challenges in this Sector. Those that relate to university governance, curbing the menace of commercialisation, political-government interference, over centralisation, etc., are surveyed here.

The Review Committee suggested that affiliated colleges should get graded autonomy depending on their performance, which should be under periodic review. The work of conducting examinations in accordance with the requirements and guidance of the university should be entrusted to autonomous examination boards. Accountability of the university to its stakeholders should be in the form of higher order deliverables such as advancement of frontiers of knowledge, creation of developmental models and applications, and being a catalyst for shaping the evolution of socio-economic development. A standalone independent legal entity MAHED (Maharashtra Authority of Higher Education Development) consisting of academicians, experts in S & T, societal development and industry should facilitate and guide HE institutions in the State (Report of the Review Committee. 2012: 4). The university should be entrusted in the hands of academicians, with proven track record within and outside the university. It is mature peer process rather than electioneering that should prevail in the university. The Review Committee recommended that elections should be done away with (Report of the Review Committee. 2012).

The media by and large was appreciative of the Maharashtra Public University Act, 2016. *The Indian Express* (December 9, 2016), for instance, felt that the Bill proposes to strike a balance between elections and nominations to various university bodies to stamp out nominations of vested interests. Based on the recommendations of three different committees headed by Anil Kakodkar, Arun Nigvekar and Ram Takwale set up in 2010-11, the Bill was tabled by the Higher and Technical Education Minister Vinod Tawde after incorporating recommendations and changes by a 21-member scrutiny panel headed by Tawde himself. The Bill proposes to usher in far-reaching changes in various areas of university activities, putting students' interests at the centre, as also to lend greater autonomy and eliminate rampant commercialisation of education. The Bill proposes to establish internal quality assurance boards as a precondition for quality assessment by NAAC and UGC. To prevent profiteering by unaided institutions affiliated to universities, the Bill proposes to set up special committee in respect of each course, to determine fees and a regulatory mechanism at the state-level. Many crucial reforms suggested by the 2016 Act are still to be implemented. The first is the MAHED which has not seen the light the of the day and so is the curbing of commercialisation of higher education with violations in the fee structure being the norm than exception that it attracts the Notification of the Regulator.

In conclusion, it can be said that the changes in the composition and functions of the different policy, executive and academic bodies were on account of the pressure brought in by private managements, forcing the government to come with Amendments and Ordinances on the University Acts, that interfered in the governance and started eroding the university autonomy. The beginnings of external considerations influencing educational matters were the decisions taken about the location of universities and institutions of HE; these were the political consideration with an eye on electoral gains and the socio-economic and political clout it brought with it. The second is the series of amendments to the Pune University Act, 1974 to debar the university from its usual role in recruitment and promotion of teaching, non-teaching, and incurring expenditure for development works without prior government approval. This, in effect, robbed the powers and duties of the University Senate, the EC and Academic Council.

Another Bill proposed in 1984 proposed that without prior government approval the university is debarred from any recruitment of teachers and non-teaching staff, and such other measures with financial implication. The Maharashtra University Bill of 1993 sought to increase the government nominees in the various bodies and at the same time reduce the number of teachers and students on them. This exactly what happened in the Maharashtra University Act, a year later, in 1994, increase the strength of representatives and Principals of un-aided private colleges in the Senate and MC. And, when a Vice-Chancellor tried to discipline private managements from violating university rules in admissions and fees, an Ordinance was promulgated for the removal of the Vice-Chancellor. Political elites setting up education institutions and government control of universities have been the legacies of Maharashtra HE policy. The amendments and ordinances that eroded university autonomy and reduced universities subservient to the government of the day was the order of governance of universities from the time of the Pune University Act of 1974 right up to 2009. If there was a running thread with respect to university governance, it was the systematic delegitimation and deinstitutionalisation, leaving universities no better than other government departments intended to serve the interests of the owners of the educational managements who were ministers in the government. It is doubtful if there is such over-centralisation of university functions and powers with the government in any other state.

The Maharashtra Public University Act, 2016 is interesting because the political elites with long tradition of their own educational enterprises, resisting university regulations, have now come forward to be regulated and cooperate in weeding out the menace of commercialisation and help restore autonomy and authority to the universities to manage their powers and functions. The 2016 Act was the result of a series of committees formed between 2009 and 2012 to curb the menace of commercialisation in higher education. An independent and statutory authority for this purpose was envisaged, the MAHED, led only by educationists. The conscience that underlay the setting up of the different committees and their proposals to cleanse the technical and professional higher education system, and general higher education from the menace of commercialisation seems to be missing in the post-2016 contexts.

3. Private Engagement in Maharashtra Higher Education: From Philanthropy to Commercialisation and Resistance to Regulation³

Higher Education policy in Maharashtra can be seen as an expression of the Maharashtra University Acts defining and re-defining the objects and functions of its various policy bodies and chief functionaries according to the changing contexts of knowledge, social aspirations and economic needs and political environment. It can also be seen as a reflection of adjustments in governance and management of the universities and HE system to the distortions that crept into the system on account of the influences exercised by the private enterprises, which controlled the major part of professional and technical education. Thus, at one level, the Maharashtra HE policy trajectory can be seen as a narrative of the changes in University Acts of 1974, 1994 and 2016 in their objects and duties, and the composition and functions of key policy and executive bodies as well as the roles of key functionaries like the Vice-Chancellors. At another level, it can also be seen as a narrative of how private managements tried to influence the HE policy to protect their interests --- to resist regulations that will adversely affect their institutions in admissions, fees, quality parameters like physical and academic facilities, teachers, their pay and service conditions. Hence, one dimension of the Maharashtra HE policy is the university's efforts to regulate the private enterprises, while other dimension represents a clear-cut demarcation of private enterprises conforming to the barest minimum regulations of the public HE system and the latter re-adjusting itself to the dominant position of private HE both in space and scope. Therefore, a narrative of the evolution and emergence of the private engagement in higher education as a powerful force in the university education system is in order. It consists of three facets, viz., Maharashtra as a nursery of philanthropy in education, the transition from philanthropy to commercialisation of education with widespread concentration of educational institutions in the hands politician entrepreneurs, and their resistance to university efforts at regulation and streamlining to curb commercialisation.

³ A more elaborate version of this aspect has appeared in *College Post*, April-June, 2018, pp.11-22.

Maharashtra – Nursery of Philanthropy in Education with a Tinge of Social Reform

During the colonial rule, besides the government and Christian missionaries, establishing schools and colleges by Indians were not common until about the 1920s. In case of Maharashtra, the Deccan Education Society established in 1880 at Pune by four patriotic visionaries was a rare exception. As would be evident, the thrust of such non-government Educational Societies and Trusts, established as Charitable Trusts by the natives in different regions of Maharashtra from 1920s to 1960s was to offer educational opportunities to children of the poor and especially from rural, remote, forest, hilly areas and educationally backward regions of Maharashtra such as Vidharba and Marathwada as well as to the poor children even from educationally advanced southern and western Maharashtra. In many cases, as would be evident below, running educational institutions was combined with hostels without which these children would not have been able to avail of the educational opportunities. Education, as a project for improvement in the life condition, social reform, and modernisation seemed to have been the object of such ventures.

Deccan Education Society (DES) was established in 1884 by Vishnu Shastri Chiplunkar, Bal Gangadhar Tilak, Gopal Ganesh Agarkar and Mahadeo Ballal Namjoshi, who were already recognized as the pioneers of new education in India with the launch of New English School in Pune in 1880. Soon after its foundation, the Society established the Fergusson College in 1885 at Pune, Willingdon College at Sangli in 1919 and Brihan Maharaja College of Commerce in 1943 at Pune. The DE Society adopted a democratic structure at a time when modern democratic practice was new in India. Teachers' participation in academic and administrative matters is a unique feature of the DES institutions, which number 43 today. It became a model of the teacher-managed institutions in Maharashtra and symbolised people's own initiative in evolving Education as a means of national regeneration. *One of the main goals of the DE Society was to provide education to wider sections of society by making it cheap and affordable.* The selfless work of the founding fathers always

impressed and attracted philanthropists and through their generous contributions, several institutions with ample facilities came up⁴

Karmaveer Bhaurao Patil and his wife Laxmibai Patil founded Rayat Shikshan Sanstha in 1919

From the very beginning, the founder laid emphasis on the *education of the downtrodden, the poor and the ignorant. He believed that education alone could correct the social ills such as caste-hierarchy, money-lending, illiteracy, untouchability, superstitions and social and economic inequality.* He laid the foundation of the Rayat Shikshan Sanstha by opening a Boarding House at Kale (Tal-Karad, Dist-Satara) in 1919. Soon, however, in 1924 he shifted the headquarters of his educational institution to Satara. Today, the Sanstha runs 42 Colleges, 438 secondary schools, 7 training colleges, 51 primary schools (English medium-19), 33 pre-primary schools (English medium-24), 91 cosmopolitan hostels, 7 administrative offices, 8 Ashramshalas, 57 ancillary Branches and Research Institute 1, Total 737. One can rarely find such an *educational institution working devotedly in about 15 districts, of Maharashtra and one district of Karnataka with 13, 553 (3696 female) employees belonging to 171 castes and communities and 4,58, 044 students (female 2,14,602)* ([https://en.wikipedia.org/wiki /Rayat_Shikshan_Sanstha](https://en.wikipedia.org/wiki/Rayat_Shikshan_Sanstha), *emphasis added*).

Shri Shivaji Education Society was registered in December 1932 and its founder President was Dr. Panjabrao alias Bhausahab Deshmukh. In 1958, it had one primary school, seven middle schools and eight colleges. Today it runs 24 Senior Colleges, 54 Jr. Colleges, 75 Middle Schools, 35 hostels mainly in the region of Vidarbha but also in other parts of the state, catering to 88652 students in the states of Maharashtra and Karnataka. The educational institutions cover areas like agriculture, arts, biotechnology, computers, education, physical education, engineering, horticulture, information technology, law, medicine, microbiology and the pure sciences. It also runs a Polytechnic for boys and girls at Amravati. The Society was awarded the Dr. Babasaheb Ambedkar 'Dalit Mitra' Award in

⁴ (<http://www.imdr.edu/deccaneducation-society-pune/>; <http://www.imdr.edu/deccaneducation-society-pune/>; https://en.wikipedia.org/wiki/Deccan_Education_Society).

1993-94 by the Government of Maharashtra, and in 2000, the Government of Maharashtra declared the Society as the "Best Administered Society" in the state (http://ssesa.org/pages/About_society.php).

In 1954, Dr. Bapuji Salunkhe started an educational institute **Shri Swami Vivekananda Shikshan Sanstha in Kolhapur**. Its major objective is to *educate the rural, economically weaker pupils*. The jurisdiction of the management covers **thirteen districts** of Maharashtra and one district of Karnataka. *Two lakh students are studying in more than 330 educational institutions*. These include 170 High Schools, 8 Training Colleges, *18 Arts, Commerce and Science Colleges*, 66 Junior Colleges, 3 B.Ed Colleges, 1 Law College, a multipurpose High School, *19 Hostels*, and one Asharamashala. *Most of the Educational Centres are in the rural, backward, hilly, drought-prone, and remote parts of the state* of Maharashtra (<http://www.vivekanandshikshansanstha.edu.in/Founder>, *emphasis added*).

Marathwada Shikshan Prasarak Mandal: The Marathwada region was under the influence of the Nizam of Hyderabad and the people were neglected. In 1959, the Marathwada Shikshan Prasarak Mandal was established at Aurangabad, the central place of the Marathwada. The aim of the Sanstha was and is to provide knowledge to the poor and ignorant. The Mandal runs 6 English Medium Schools; and 22 Degree, Engineering Colleges and Polytechnics in districts like Aurangabad, Beed and Parbnani and its towns (<http://mspmandal.co.in/Home/About>).

These are just a few instances of educational undertakings with a social service and social reform motive. Many of them were expressly addressed to the children from educationally backward regions as well as of poor families from rural, remote, hilly areas and from Dalit and tribal families. Running educational institutions and managing hostels for these children was dictated by a sense of service to society, social reform consciousness, and conviction. The transition from philanthropy to commercialisation happened, swallowing on its way, the intense and passionate educational engagement for the improvement of the under-privileged children and education as an instrument of improvement and modernisation. In the context of the rapid expansion in the number of permanently non-aided category of private institutions, there could be a genuine curiosity as to their scale of operations. There is no way to gauge whether philanthropy in education has been swallowed by

the for-profit educational enterprises and commercialisation influences. But the rapid expansion of the permanently non-aided educational enterprises with its deep nexus with politics would seem to suggest the obsolescence of the educational philanthropy with a tinge of social reform. This is symptomatic of the emergence of Maratha dominance in the economic and political scene of Maharashtra from the 1960s to 1980s and '90s. The cooperative movement, the Panchayati Raj system and the Congress Party represented the power structures and the route to rise to prominence and power in Maharashtra. These three power structures, viz, cooperative movement, Panchayati Raj system, and the Congress Party, were dominated by the Maratha caste. The leaders who wielded power in these power structures were also the leaders of the educational institutions. The education-politics nexus is an inextricable part of Maharashtra's socio-political scene today.

There is no clarity and no clear-cut classification in Maharashtra's educational data until 1995-96 about government, aided, partly aided, and permanently non-aided categories of institutions. It is probable that their widespread presence with 1172 out of 2899 degree colleges under the aided category in 2015-16 includes many of these institutions under the many educational trusts and societies, the earlier philanthropic institutions. It may also be the case that they are not part of the permanently non-aided categories of 1690 colleges out of total of 2899 (GoM, 2017: 58). These permanently non-aided categories of institutions, given their nature as clearly as for-profit ones, resist in conforming to government/UGC norms in respect of admissions, physical and academic facilities and quality of teachers and their salary scales. Compromise on quality norms results in substantial savings to them. Heavily represented in the university executive and policy bodies, there was a clear nexus between education and politics influencing university policies. For this, it would be useful to understand the emergence of politicians-owned unaided private colleges in general, technical, and professional education.

From Philanthropy to Commercialisation in Higher Education

For an appreciation of the unaided private enterprises in higher education in Maharashtra, an understanding of emergence of the sugar cooperatives and the cooperative movement in Maharashtra is essential. Private engagement in higher education in Maharashtra as in neighbouring southern states like Karnataka and

Andhra Pradesh evolved through similar phases of transition from philanthropy to commercialisation. The transition from philanthropy to commercialisation in establishing colleges was a combination of caste and class interests, and in fact, the supersession of class and money interests over caste considerations. In Maharashtra, establishing colleges was also combined, both to protect their interest and say in the HE system, and use it as social, political clout, and patronage. Educational empires, by economically, socially and politically powerful entrepreneurs – often politicians - - ended up influencing educational policies to protect their interests. This also pushed to the background the social service motive behind education enterprises. The consolidation of those castes in education, profession, wealth, and social pre-eminence was a distinct trend during the latter half of 20th century—before they were overtaken by the profit considerations. Money, profit, and returns to investment—profiteering and commercialisation—overtook the social and philanthropic objectives.

V E Vikhe Patil and D R Gadgil set up India's first-ever successful sugar cooperative in 1951-52 in Ahmednagar district. A dozen such factories came up in 1959-60 and in a short period thereafter a large number of them emerged all over the state. By 1980, the number of sugar cooperatives crossed 100, and by 1988, Maharashtra overtook Uttar Pradesh as the largest sugar producing state in the country. *Thanks to their success, a vast network of cooperatives in several related fields emerged in the vicinity of sugar cooperatives: cooperative spinning mills, co-operative poultries, cooperative dairies, agricultural processing cooperatives, cooperative sale and purchase of onions, similar other cooperative enterprises, cooperative credit societies, and cooperative banks. The leaders of the cooperative movements were all from the dominant Maratha castes who counted for 45% of the total population* (Dahiwale, 1995; Baviskar, 2007: 4217. emphasis added).

Between 1960s and 1980s, Maharashtra became a pioneer and role model of the cooperatives as an instrument of self-reliance and rural development, with the use of the contributions of ordinary members of the cooperative societies – the reason why it was called as the golden age of the cooperative movement in India (Baviskar, 2007). In the Maharashtra of that period – 1960s to 1980s, there were three important centres of power viz., the cooperatives, the Panchayati Raj institutions, and the Congress

party. Anyone wanting to rise in the power hierarchy had to necessarily rise as leaders and influential persons through these power structures. The cooperative leaders of Maharashtra learnt from the prevalent practices in the political environment of collecting donations, as did AR Antulay, the Chief Minister (CM), almost as a compulsory donation from steel and cement traders and manufacturers for the Indira Pratishtan, an NGO, to please Prime Minister Indira Gandhi. The cooperative leaders also started collecting donations from ordinary members of the cooperative societies. With the money thus collected, the leaders set up big educational enterprises. But they cleverly kept these educational trusts legally separated in their own names. They appointed themselves and their family members as life-long trustees and thus ensured that the trusts remained under their control even if they lost control over the sugar cooperatives or allied organizations. They charged heavy capitation fees for admission to their engineering, medical, computer and management colleges. Yesterday's '*sahakar maharshis*' (cooperative bosses) thus transformed themselves into '*shikshan maharshis*' (education barons). All transactions were "under-the-table" and without any receipts and audit. There was no record of the capitation fees (Baviskar, 2007: 4219).

With the explosion of the student population in the seventies and eighties, the number of meritorious students aspiring for higher technical and medical education also increased phenomenally. But the government of Maharashtra steadfastly refused either to expand existing colleges or start new ones, always stating paucity of funds as an excuse. The model was already available in the neighbouring states of Karnataka and Andhra, where the governments had freely allowed opening of numerous privately owned technical and medical education colleges. Soon after the ministry of Vasantdata Patil took office early in 1983, it was announced by the new Education Minister that in order to ease the acute shortage of facilities for technical education in the state, the government would allow private parties to start five new engineering colleges and ten new polytechnics on the clear understanding that they would not receive any grant-in-aid from the state now or in future (Deshpande, 1983: 1512). At the same time, it had allowed them to charge far higher fees from their students. The Maharashtra government 'advised' all the Vice-Chancellor in the state to use the special emergency power vested in them to

grant affiliation to these new colleges. All the Vice-Chancellors in the state have duly obliged (Deshpande, 1983).

Writing in 2000, Deshpande recalled that the last two decades have seen a sudden and rapid expansion in the facilities for engineering and medical studies in Maharashtra, as well as in the facilities for many other professional courses such as pharmacy and architecture, and even in colleges of education. Almost all of them were opened and operated by politically powerful education entrepreneurs. In the true spirit of the license-permit raj, the helping hand of the state government was available to many of these institutes at their launching and later. “As of today,” Deshpande observed “there are about a hundred such engineering colleges alone, give or take a few, while the number of government-run or aided institutes remains the same, namely, about a dozen” (Deshpande, 2000: 2506). “In Maharashtra today”, Deshpande went on to observe, “particularly in the rural areas, power and pelf flows as much through the medium of sugar and other cooperatives as through the control of educational institutes. Furthermore, for a person not overly burdened with conscience or ideals of educational excellence, pickings on the side are seen to be as easy in running a college as in running a cooperative factory or bank. No wonder that everybody who is anybody got on the bandwagon of education entrepreneurship. It is true that a few good institutes have also come up in the past two decades. But by and large, with an obliging government and pliant universities, a whole new class of educational shops has sprung up in Maharashtra, generally without much educational infrastructure or adequate number of teachers” (Deshpande, 2000: 2506). It has been observed that over five years ago private enterprise made a massive entry into higher education in Maharashtra with active encouragement of late Vasantdada Patil, the chief minister. Since then, the process was actively encouraged by all political leaders (*EPW*, 1990: 225).

The commercialisation of higher education took a more unpleasant turn since June 1990 with the state government permitting the opening of over 60 new institutes of education at one go, to start courses in B. Ed and Dip. Ed. Interestingly the government had closed down some 20 such institutes in the previous two years on the ground that the state already had more trained teachers than it needs. It was observed in the column in the *EPW*:

“To have first closed down the aided institutes charging moderate fees and then allowed the opening of the unaided ones charging high fees and higher premia, is nothing but exercise in blatant profiteering. To no one’s surprise, the institutes thus permitted to have been started by the political heavyweights of the ruling party and its allies. The so-called educational societies controlled by the minister in charge of education have been rewarded with seven or eight new colleges, including a medical college in Nagpur. Some Dalit leaders are also beneficiaries” (EPW, 1990: 225).

The EPW discerned the reasons: *opening of colleges of education has proved even more lucrative than starting of polytechnics and engineering colleges. This is because hardly any inputs are needed (such as workshops and laboratories) to start such a college. The number of aspirants for admission is also much larger for such a college than other professional courses. It is no wonder that the permission for the opening of such a college is sought even more avidly than, say, a license for a liquor shop* (EPW, 1990: 225-26, emphasis added). Commercialisation of education and cooperatives leaders becoming education overlords happened particularly from 1980s. The education barons were and still are the political leaders and this education-politics nexus was a conscious process because it happened for the benefit of the owners of education institutions and the political leaders.

There is another dimension to the commercialisation of higher education in Maharashtra. In the post-independence period, the Marathas have dominated the co-operative, education and Panchayat institutions. The dominant rich Marathas who had political and administrative contacts acted as patrons in extending help in matters of employment, finance, benefits of government programmes and providing a few positions in the local bodies. The dependents who receive help from the dominant leaders obviously feel obliged and become subservient to them (Dahiwale, 1995: 341). The most important arm of the state political power is the co-operative institutions. Baviskar notes, “The resources of co-operatives are used to win elections to zila parishad, assembly, and parliament, and also to create educational institutions and strengthen the Congress Party organization” (1980: 181), The state co-operative bodies such as the Maharashtra State Co-operative Bank, the Maharashtra Rajya Sahakari Karkhana Sangha and the State Co-operative Marketing

Federation were under the command of Vasantdada Patil, and after his death, are under the control of Sharad Pawar (Dahiwale, 1995).

Politician-Education Overlords of Maharashtra

The socio-political history of Maharashtra from late 19th to mid-20th century is relevant in the context of the development of higher education. The non-Brahmin movement was a trigger for the emergence of the Maratha caste dominance. In some cases, the non-Brahmin movement also had a strong social reform dimension and organisation of the dalits. Apart from the non-Brahmin movement, the native rulers of Kolhapur and Baroda paid attention to dalits and education besides making laws against untouchability and reservation in government jobs. The philanthropic education trusts and mandals, as seen earlier, made education of dalits and tribal children an instrument to fight against caste discrimination and untouchability. Thus, education of dalits and social reform of the education's agenda had become a facet of socio-political history of Maharashtra from late 19th and major part of 20th century. Another facet of this period is the emergence of the power structure of the non-Brahmin Maratha caste in the cooperatives movement, the Panchayati Raj structure from village to district level and the political party leadership at local, district and state Assembly levels. The election processes for leadership in all these areas also witnessed money power in the elections to the cooperatives, Panchayats and party-based elections to the State Assembly (Rosenthal, 1974; Baviskar, 1980; Dahiwale, 1990). This process of the cooperative movement, emergence of Maratha leadership in the economic and political landscape of Maharashtra brought in the use of money in the elections. Misuse of money power, corruptions in the use of funds and donations collected from ordinary members of the cooperative societies raised its ugly head into the educational trusts and societies formed by same leaders of the cooperatives, PRIs and party political system. The transition from philanthropy to private interest in education built on the edifice of capitation fees and donations became an all-pervasive facet from mid-1980s when government permitted permanently non-grant-in-aid (self-financing) institutions in technical and professional education. It is interesting to note that a close nexus between politics and education has been in place in Maharashtra for quite a long period of time. A brief account of some of the education

groups and societies makes this point clear. For details of such group owned or patronised by the politicians see the Appendix-I.

Politics-Education Nexus and Interference in Higher Education

Surveying the scene of unaided educational managements that evolved in Maharashtra, Ashok Chousalkar noticed a close “nexus between class, power and caste in these institutions as their managements had distinct caste affiliations”. *“The private engineering colleges”, he said, “gave birth to education emperors who controlled a large number of schools and colleges over a large part of the state and they were no less powerful than the sugar barons. Many of them are ministers in the Democratic Front government of Deshmukh (Oct. 18, 1999-Jan.16, 2003). On many issues the interests of sugar barons and education emperors converge; hence their combination becomes lethal”* (Chousalkar, 2000: 1347. emphasis added).

Treating the scene as an “educational market”, perceptive commentators like Anupam Katakam noted that political control over institutions of higher education is not restricted to the ruling party. A list compiled by the Bombay University and College Teachers' Union (BUCTU) around 2003 revealed that *“politicians from every major political party in the State are involved in the education business. The list, which is part of a petition filed against private professional unaided colleges for the late implementation of pay scales, discloses that some colleges are owned either by politicians or in some other way connected to them. According to the petition, ex-Chief Minister Vilasrao Deshmukh owns an institution in Mumbai. Nationalist Congress Party leader Sharad Pawar owns three, while his son owns one, and Pawar's close associates own another five, it says. Former Prime Minister P.V. Narasimha Rao's son Rajeshwar Rao controls an education society in Nagpur, as per the list”* (Katakam, 2003).

Perceptive academics like Deshpande, discerned that “a number of decisions taken by the Maharashtra government relating to higher, especially technical, education have no educational merit. They are intended only to add to the coffers of the privately controlled educational institutions. “The latest among these decisions”, Deshpande contended, “is that to raise the so-called NRI quota in engineering colleges from 5 to 15 per cent. The proposal was challenged in the high court and was nullified

by it. But given the concern that the present government has shown for the financial well-being of the educational shops run all over the state by the political heavyweights, it remains to be seen how long the effect of the high court ruling will last” (Deshpande, 2000). He pointed out that each of these institutes is represented, directly or indirectly, in the various academic bodies of a university. The actions of these bodies are necessarily influenced by this presence. Quite often, the requirements of good education or the interests of students are conveniently ignored in the university bodies when these conflict with interests of the profit-motivated educational barons. In many respects, the supposed autonomy of a university has merely provided a cover for shielding these goings-on from public scrutiny (Deshpande, 2000).

Twisting the policy to suit their interest and their relentless pursuit to charge exorbitant fees were exposed by BUCTU. It pointed out that the large-scale political backing that most unaided colleges enjoy perhaps explains why they blatantly flout the rules. An informed source in the BUCTU says, "These people, due to their enormous power in the government, violate all the existing norms. And if they do set rules, it is for their convenience”. With this kind of political involvement in higher education in the State, there is very little that can be done to stem the rot (Katakam, 2003). The BUTCU says State Industries Minister Patangrao Kadam, who owns the Bharatiya Vidyapeeth College of Engineering in New Mumbai, is a classic case. Kadam was on the sub-committee that drafted the policy on higher education after the Supreme Court judgment came. Ironically, his institution was among the four that figured in the media expose. Irrigation Minister Padamsingh Patil's Terna Public Charitable Trust also came under scrutiny. State Education Minister Ramkrishna More and Finance Minister Jayant Patil also own colleges (Katakam, 2003).

In view of the abuses of rules by politicians-education entrepreneurs, the courts intervened to restore some justice. In 2002, a majority of eleven-judge Constitution bench of the Supreme Court, in T.M.A. Pai Foundation v. State of Karnataka case, while upholding the principle that there should not be capitation fee or profiteering, argued that "reasonable surplus to meet the cost of expansion and augmentation of facilities, does not however, amount to profiteering." Further, the court opined that the restrictions on fees and admission proposed in Unnikrishnan case prevented the accumulation of "reasonable" surplus. Different

people interpreted this judgment in different ways. Supreme Court judgment in 2003 in *Islamic Academy of Education v. State of Karnataka* case tried to interpret several questions emanated from the *T.M.A. Pai* judgment. Private colleges described its order as reincarnation of the dead Unnikrishnan scheme (Sharma, 2005: 69).

The seven-judge bench of the Supreme Court delivered its verdict in *P A Inamdar & v. State of Maharashtra* case on 12 August, 2005. It held that states have no power to carve out for themselves seats in the unaided private professional educational institutions; nor can they compel them to implement the state's policy on reservation. It further held that every institution is free to devise its own fee structure; but profiteering and capitation fee are prohibited. A committee headed by a retired judge was proposed to act as a regulatory body for protecting the interests of the students. However, the Court allowed up to a maximum of 15 per cent of the seats for NRIs. Scholars contend that this is a virtual endorsement of giving a legal license for converting education into a commodity that can be sold in the market to those who can afford it. In a situation where the State is increasingly withdrawing itself from expanding the existing facilities in higher education, it is only natural that commercialisation of higher education would follow (Sharma, 2005: 69).

Rohit Bhat, a practicing Supreme Court lawyer opined, “It took the Supreme Court over two decades to come to terms with the policy of the government recognising the need for private institutions. *PA Inamdar* has held the field for ten years now. The concepts of autonomy and liberalisation that were first stated in 1948 in the University Education Commission report appear to have finally been incorporated into law through this judgment. Many states have implemented the judgment in *Inamdar case* by enacting suitable legislation. For instance, in Karnataka, consensual agreements are entered into under the Karnataka Professional Educational Institutions (Regulation of Admissions and Fixation of Fee) (Special Provisions) Act, 2006, which provide for seat sharing and fee fixation in medical and engineering colleges in the state”. “In my view”, he goes on to contend “the law laid down by *T.M.A. Pai* and *PA Inamdar* have balanced the interests of private institutions with those of students and also filled gaps in policy. However, there are widespread and increasingly entrenched problems in the implementation of these judgments. Ineffectual regulation, official corruption, and the state’s inadequate capacity to

oversee the functioning of private institutions has led to the proliferation of colleges that have been set up solely to earn a profit and exploit the demand-supply gap by charging exorbitant capitation fees. This is particularly so in medical education where thousands of students compete for a very limited number of seats” (Bhat, 2015).

Prior experience shows that consistent resistance and violation of the court verdicts has been the ground reality. The one probability might have been the state government's adherence to the court orders on both admissions and fee structures in technical and professional education being regulated by the court Committee. But the consistent and rapid increase in the number of unaided private technical and professional education institutions even during these years of judiciary activism and later till 2015-16 is an indication of their clout in Maharashtra's higher education, especially in technical and professional education domains. The following table gives an idea:

Table 1
Engineering Education Institutions 2000-01 to 2015-16

Year	Government	Aided	Unaided	Total
2000-01	54	31	247	332
2001-02	57	30	269	356
2002-03	56	31	314	401
2004-05	45	37	265	347
2005-06	42	31	274	347
2006-07	42	33	313	388
2007-08	42	33	318	393
2008-09	45	32	422	499
2009-10	48	27	555	630
2010-11	53	39	692	784
2010-11	55	36	810	901
2012-13	55	36	913	1004
2013-14	55	41	998	1074
2015-16	56	42	995	1093

Note: Includes Diploma, Degree, and PG Courses; For 2014-15 detailed list not provided

Source: GoM (2001), *Economic Survey Of Maharashtra 2000-01*, Directorate Of Economic and Statistics, Planning Department, Mumbai, p.120; and for the years 2001-02 p. 207; 2002-03, p.T-65; 2004-05, p.T-65; 2005-06, p.T-66; 2006-07, p. T-66; 2007-08, p. T-69; 2008-09, p. 189; 2009-10, p. 199; 2010-11, p. 202; 2011-12, p. 210; 2012-13, p. 212-213; 2013-14, p. 205-206; 2015-16, p. 194.

Table 2**Enrolment in Engineering Education Institutions 2005-06 to 2015-16**

Year	Government	Aided	Unaided	Total
2005-06	10,871	4,053#	67,130#	81,922#
2006-07	6,935#	2,681#	71,478#	81,094#
2007-08	10,344#	2,774#	83,007#	96,125#
2008-09	1,336#	3,421#	1,12,421	1,39,562
2009-10	16,810#	4,591#	1,44,779#	1,66,180#
2010-11	22,263	7,568	1,79,194	2,09,025
2010-11	19,730	7,582	1,95,166	2,22,535
2012-13	21,452	8,525	2,07,065	2,37,042
2013-14	20,927	8,583	2,02,207	2,31,717
2015-16	19,877	8,331	1,56,542	1,84,750

Notes: # PG – NA; * including Diploma, Degree, and PG Courses.

Source: GoM (2006), *Economic Survey Of Maharashtra 2005-06*, Directorate Of Economic and Statistics, Planning Department, Mumbai, 2005-06, p.T-66; 2006-07, p. T-66; 2007-08, p. T-69; 2008-09, p. 189; 2009-10, p. 199; 2010-11, p. 202; 2011-12, p. 210; 2012-13, p. 212-213; 2013-14, p. 205-206; 2015-16, p. 194.

Our presumption that after the court verdicts about regulation of admissions and fees of Unaided Private Professional Educational Institutions, there would have been a sudden drop in both the number of their institutions and enrolment has been disproved by the reality. The sudden drop from 314 in 2002-03 to 265 in 2003-04 becomes inexplicable, but after that there has been a consistent increase by close to four times—995 in 2015-16, in just about a decade. In enrolment also, close to three-fold increase from 67,130 to 1.56.542 during 2005-06-2015-16 has been observed.

Maharashtra Act No. VII of 2014. This is an Act to regulate collection of fee by educational institutions in the State of Maharashtra, and was known as the Maharashtra Educational Institutions (Regulation of Fee) Act, 2011. It states that the Government desires that steps should be taken to prevent the commercialisation of education through profiteering by the educational institutions. The practice of charging exorbitant fees by the educational institutions is on increase in the State and it causes frustration among meritorious and indigent students. With a view to effectively curb this undesirable practice and commercialisation of education and to maintain excellence in the standard of education, it is expedient in the public interest

to regulate collection of fee by the educational institutions in the State of Maharashtra. *This is with reference to the fee charged on school education.*

Maharashtra Act No. XXVIII of 2015. This is an Act to regulate admissions and fees by Unaided Private Professional Educational Institutions in the State of Maharashtra where eligibility for admissions (excluding admissions based on the institutional quota declared by Government from time to time) to their courses would be only on the basis of the merit list drawn from CET conducted by the state government and admissions on the basis of a centralised admission process. The allocation of seats under different categories in an unaided institution, other than in a Minority Educational Institution, shall be in accordance with the Maharashtra Private Professional Educational Institutions (reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes and Other Backward Classes) Act, 2006 and as per the Government policy declared from time to time, including the NRI quota. In minority institutions, admissions to students from the minority communities within the state should not be less than 51%. The Admission Regulatory Authority would be headed by a retired Judge of High Court or officer not below the rank of State Chief Secretary. Same is the case about Fixation of Fees (Government of Maharashtra, 2015).

The admission and fee structure being overseen by the Regulatory Authority would normally imply, as in the case of its neighbouring Karnataka, a smooth and fair professional education system. But the reality has been far different. Perceptive observers like Amiya Kumar Bagchi did not fail to take note of this. He illustrated this by pointing out to the cases of Maharashtra and Gujarat. In these states, the fortunes of many politicians have been made from such institutions. The incomes of most of these institutions could escape the tax net because they are treated as charitable organisations (Bagchi, 2010:10). He goes on to add that in states such as Maharashtra, private health care providers have been allowed to use the facilities of public hospitals without or on a nominal charge. The unwillingness of the government to address the issues of massive and inevitable market failure in education and healthcare has naturally given rise to corruption at many different levels and has endangered the lives

of current and future generations through the certification of ill-trained doctors, researchers and teachers (Bagchi, 2010:10-11).

Referring to the unaided professional institutes, as they existed at that time, it was perceived that clearly education is regarded as a lucrative business in this State rather than a way to contribute to society. If the colleges provided state-of-the-art facilities, it could in some way justify the fees. However, the doctors teaching in such medical colleges admitted that the majority of these institutions do not have even basic facilities such as laboratories. D.Y. Patil Pratishthan in New Mumbai, for instance, does not have a hospital, let alone a 500-bed facility, which is a minimum requirement to start a medical college. The students allegedly go to municipal hospitals for practical (Again, it is alleged that the municipality and the college have arrived at an arrangement whereby each student will pay Rs.5 for every patient he/she looks at). The professional colleges also ignore the norms laid by the All India Council for Technical Education (AICTE) such as the one on the number of teachers to be appointed. Apparently, the unaided colleges in the State should have 14,000 teachers. But only 7,200 have been appointed. "Staff salaries are a huge expense. These non-appointed teachers are a mechanism to build up a huge surplus," says Tapati Mukhopadhyay, general secretary, BUCTU (Katakam, 2003).

Unlike in Karnataka, there has been a perpetual violation of the court judgment since 2005. This becomes evident from an open declaration by the Fee Regulation Authority of Maharashtra in 2018. The Fee Regulation Authority notified that it "is in receipt of the complaints mainly from the PG students in the Medical Course. The management is demanding higher fees than the fees approved by this authority. The complaint is to the effect that in addition to fee approved by this authority, the management is demanding extra fee on account of expenditure incurred towards payment of stipend. For example, if the fee declared by this authority for MD/MS is Rs. 10,00,000/-, the management is asking the student to deposit Rs. 10,00,000 + Rs.6,00,000 (stipend)". It goes on to add that "It is clarified that the management demanding any amount of extra fee (on account of stipend) than the fees approved by this authority is illegal and contrary to the provision of Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015. The managements are hereby asked to desist from such practice. The students are advised

that in the event any such demand is made they can approach appropriate authority and need not to pay any amount of extra fees” (Fees Regulating Authority, 2018) [//www.sssamiti.org/PDF/Clarification%20-%20ExcessFees_PG.pdf](http://www.sssamiti.org/PDF/Clarification%20-%20ExcessFees_PG.pdf)).

The current position of unaided institutions in general, technical and professional education points to their dominant hold in Maharashtra’s higher education system. The Notification issued by the Regulatory Authority shows the prevalence and gravity of violations in demanding higher fees being demanded by the private unaided professional education institutions, especially medical colleges. There is no guarantee that this is not the case in technical education, especially the elite ones even though there is a crisis in technical education, as shown by the pleas to AICTE for closure of engineering colleges.

In sum, it is remarkable that all the education barons of Maharashtra started their educational ventures as Charitable Trusts during the 1950s, 1960s, and even in the 1970s to offer no-cost higher education (even school education) to socially and economically disadvantaged children, and particularly those from the educationally backward regions of Vidharba and Marathwada. From that vantage point, they emerged as education emperors using the capitation fee route. How much of the initial pro-poor zeal still exists is a moot and open question. Maharashtra abounds in cases of using education as a stepping stone to carve out an empire that includes studies in Engineering, Medicine, Dental, Nursing, Management, Law, Mass Communication & Journalism, Library Science, Computer Science, Biotechnology, Bioinformatics, Fine Art, Indian classical dance with state-of-art technology and infrastructure. There have been also cases of cooperative barons becoming education emperors. In both cases, they combined the might of state power, as they were also powerful political leaders like CMs and ministers.

Currently, unaided private managements control 58% of Arts, Science, and Commerce Colleges (1690 out of 2899) and 91% (995 out of 1093) Engineering Colleges with 84% enrolment. Undoubtedly, their presence is very dominant in Maharashtra’s higher education system. While low standards and quality of education in government and aided colleges could be rampant, the difference in the case of unaided private institutions, both in general HE as well as in technical and professional education, there is a combination of both low quality and profiteering

despite some very reputed institutions. Between philanthropy and commercialisation in Maharashtra's HE system today, there is a great degree of variety. It is visible among the educational trusts and societies that treat education as a contribution to society and those viewing it as a commercial venture.

Conclusion

The trajectory of Maharashtra's higher education policy could be seen as an expression of its higher education system as steered by its universities, based on the University Acts over four decades, since the time of Pune University Act of 1974 to that of the Maharashtra Public University Act of 2016 as well as the numerous amendments to these Acts. It can also be seen as an expression of how the universities, as seen from the three Acts, Pune University Act, 1974, Maharashtra University Act, 1994 and Maharashtra Public University Act, 2016, were trying to exercise their authority in regulating the unaided general higher, professional, and technical education institutions run by the political leaders-cum-educational entrepreneurs. The other dimension of the HE policy has been the dogged resistance of the private managements, running the unaided professional and technical education institutions to the universities' efforts to regulate them in admissions, fee structure, and adherence to other quality norms. Therefore, a narrative of the policy discourse on higher education in Maharashtra entailed an analysis of the (i) objects and functions of the university as seen in the three University Acts of 1974, 1994 and 2016 in designing the higher education in Maharashtra, (ii) the governance of universities and HEIs, and the hurdles in the way of University autonomy, and (iii) representation of the unaided private educational managements in the various policy-making, executive, and academic bodies of the university and their influence and interference in the universities' authority and power as a hurdle in curbing their commercialisation of higher education.

One part of this narrative about Maharashtra's higher education policy presents the universities' efforts (as seen in the three University Acts, 1974, 1994 and 2016) to lead Maharashtra on the path of learning through knowledge creation and diffusion by establishment and management of higher education institutions in different fields of learning, on par with national and international level. This has been seen through the prism of the three Acts dealing with objects and functions of the

university, and its various policy-making bodies, such as the Senate and Executive/Management Council. The real dynamics of Maharashtra's higher education policy began to play out in the impatience seen in the universities' exercise of its functions. This was evident in (i) packing the policy-making bodies with government nominees and representatives of unaided private managements, and (ii) a series of amendments and ordinances, from mid-1970s till about 2009, to curtail the universities' powers, and mandating government's prior approval for even day-to-day administration. The educational narratives of later 1990s and initial years of this century are full of references to the attempts by the government to increase the strength of the private management in the university Senate, Management Council and even the Academic Council to provide a free run to unaided private management and bring university under greater government control.

Private engagement in Maharashtra's higher education shows how the higher education policy in Maharashtra can be seen as a reflection of the adjustments in governance and management of universities and HE system because of the influences exercised by the private education enterprises. Being entrenched in the university policy and executive bodies, the unaided private education managements tried to resist every attempt by the universities at curbing commercialisation, ensuring quality, and enforcing regulations in admissions, fees, and quality parameters.

Currently, there are two dimensions of the Maharashtra's higher education system. One is its pre-eminence in certain dimensions related to the national higher education scenario and the other is about the unaided private managements in general higher, professional, and technical education. The Director of Higher Education, Maharashtra takes pride that the state has emerged as an undisputed leader in higher education at the national level. All eligible state public universities are assessed and accredited by NAAC with nine out of eleven universities securing 'A' grade. Out of the total 6958 higher educational institutes assessed and accredited by NAAC, more than one-fifths, i.e. nearly 1272 are in Maharashtra. With 119 colleges completing the third cycle of NAAC, Maharashtra leads at the national level. Smooth functioning of state universities and their reputation attracts students from all over India and over 102 foreign countries (GOM: 2017: xiii).

The other dimension is about the unaided private managements in general higher, technical, and professional education. They now control 58% of Arts, Science, and Commerce Colleges (1690 out of 2899) and 91% (995 out of 1093) Engineering Colleges with 84% enrolment. Undoubtedly, their presence is dominant in Maharashtra's higher education system. While low standards and quality of education in government and aided colleges is very common, the difference in the case of unaided private institutions, both in general HE as well as in technical and professional education is a combination of both low quality and profiteering despite some very reputed institutions. Between philanthropy and commercialisation in Maharashtra's higher education system today, there is a great degree of variety. It can be seen among educational trusts and societies that view education as a contribution to society and those that view education purely as a commercial venture. The trajectory of higher education policy in Maharashtra is a commentary on public universities pressurised to adjust with the dominating private enterprises that put breaks on a university's every attempt to regulating them and curb commercialisation of the higher education system.

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Appendix-I**Education Groups and Political Patronage**

Shankarrao Chavan of the Congress Party was the fifth Chief Minister. During his tenure from 21 February 1975 to 16 May, 1977, he represented an emerging power in professional education. In 1967, Chavan established the Marathwada Mitra Mandal in Pune, a Public Charitable Trust. For nearly two decades, the Trust ran a hostel at Pune for the *economically underprivileged students from the Marathwada* region of Maharashtra. In 1985, the Mandal started a Commerce College. It is now a premier diversified group of educational institutions in Pune city. Today it runs four independent campuses, all located in the Pune city and its suburbs (<http://www.sclc.ac.in/about-society/>).

Vasantdada Patil was the sixth CM of Maharashtra, from Congress Party during 17 May 1977-18 July 1978 and again from Feb. 1983 to 1 June 1985. Before 1983, there were few engineering and technical colleges in Maharashtra, and Maharashtra students had to seek admissions in neighbouring states of Andhra and Karnataka. Vasantdada Patil passed a bill in 1983 to create private engineering and technical colleges in Maharashtra. Social media reckon that today, because of him, Maharashtra has become centre for engineering and technical education and students from all over come here for studies (https://en.wikipedia.org/wiki/Vasantdada_Patil).

Sharad Pawar, the 7th CM is associated with many educational institutions including the Hon. Sharad Pawar Public School, and the Sharad Pawar International School, Pune, etc. (<https://www.mapsofindia.com/who-is-who/government-politics/sharad-pawar.html>).

Sharad Pawar International School was established in 1997 under the aegis of “Shree Gurudatta Education Society”. His educational trusts are:

Vidya Pratishthan established in 1972. Right since its inception, the institution has been committed to accord educational facilities to all sections of society. The Pratishthan led by SC Pawar and his son ushered an era of imparting general and Technical Education through the Institutions, managed by illustrious

personalities in their respective fields. With a campus of 156 acres, the Pratishtan houses 25 institutions where more than 23,000 students are nurtured. Ultra-modern hostels cater to the need of the students, while plush residential quarters are provided to the teaching and non-teaching staff (<http://vidyapratishthan.com/vpc/>).

Established by Hon. Late Govindraoji Nikam in 1957, Sahyadri Shikshan Sanstha in Sawarde town is one of the leading educational institutes of Konkan region. At present, the institute is running 35 secondary schools, 6 Jr. Colleges and 15 Colleges (viz. Pharmacy Degree and Diploma, D.Ed. and B.Ed. College, College of Fine Art, Polytechnic, Industrial Training Centre, etc.) which provide professional education to the rural youth. The Sanstha also conducts specialised professional colleges, named after and under the guidance of Shard Pawar, viz., (i) Sharadchandraji Pawar College of Agriculture; (ii) Sharadchandraji Pawar College of Horticulture; (iii) Sharadchandraji Pawar College of Food Technology; and (iv) College of Agriculture Biotechnology. These colleges have vast area of 300 acres having well established agricultural projects and plantations of fruit crop, spices, vegetable crops, medicinal plants, ornamentals, etc.

Shivajirao Patil Nilangekar of the Congress Party was the tenth CM from 3rd June, 1985 to 6th March, 1986. He established the Maharashtra Education Trust in 1968. Around four senior colleges, 12 Higher Secondary Schools and 15 Primary Schools were established under the aegis of his Education Society. Besides these, the Trust established Maharashtra Pharmacy College, Nilanga, Maharashtra Poly. (D. Pharmacy) Institute (Govt. Aided), Nilanga in 1981, and Maharashtra College of Engineering, 1983.

Manohar Gajanan Joshi from the BJP was the 12th CM from 14 March 1995 to 31 Jan 1999 who founded the Kohinoor Group in 1961. On 7th December 1961, Kohinoor coaching classes started in a small 200 sq. ft. room. Over the years, it has blossomed into Kohinoor Education Trust. The institutions of the Trust include schools and institutes for Para medical, Hospitality, Management, Business Management, Facility Management studies (<http://kohinoorgroup.co.in/index.aspx>).

Vilasrao Deshmukh, the 14th CM from the Congress Party served two terms i.e. October 18, 1999- January 17, 2003 and Nov. 1, 2004-Nov. 26, 2008.

From mid-1990s onwards, Deshmukh focused on his educational trust Manjra Educational Trust that still manages 25 educational institutions with a wide spectrum of disciplines like Education, Engineering and Technology, Agriculture, Ayurvedic medicine, etc.

Ashok Chavan of the Congress Party was the 16th CM from 8th December, 2008 to 15th October, 2009 and 7th November, 2009 to 9th November, 2010. The Sharda Bhavan Education Society (SBES), of which Chavan is the President and Amita, his wife, the Vice-President, runs schools and colleges in Nanded (<https://www.indiatoday.in/magazine/the-big-story/story/20101115-ashok-chavan-the-new-nawab-of-nanded-744688-2010-11-06>).

Dnyandeo Yashwantrao Patil is an educationist and a leader of the Congress Party in Maharashtra. He founded the first engineering college called Ramrao Adik Institute of Technology in Navi Mumbai. It offered bachelor's degree in engineering in the year 1983. Today Dr. D Y Patil has more than *three Deemed Universities with more than 150 independent institutions* in India (<http://www.dypatil.edu/pune-talegaon/founder/>).

Patangrao Kadam held the forest ministry in the Maharashtra government. At the age of 19, he set up his own educational institute called Bharati Vidyapeeth in 1964. Besides a Deemed University, today, Bharati Vidyapeeth has *140 educational institutions* in various disciplines like engineering, medicine and management to name a few. Bharati Vidyapeeth also has six research institutes working in diversified areas like stem cell, animal and plant tissue culture, applied chemistry, pharmaceutical sciences, environment related issues, social sciences and humanities. Using education as a stepping stone he has carved out an empire that now includes a presence in the co-operative sector, including a bank, a sugar factory, a spinning mill, co-operative consumer stores and the like (<https://economictimes.indiatimes.com/patangrao-kadam-man-withcourage/article show/877376.cms>).

Kamalkishor Kadam who hailed from Nanded and was a part of the Nationalist Congress Party became the Education Minister of Maharashtra. His educational enterprise, the Mahatma Gandhi Mission, includes institutions offering degree courses in Engineering, Medicine, Dental, Nursing, Management, Law, Mass

Communication & Journalism, Library Science, Computer Science, Biotechnology, Bioinformatics, Fine Art, Indian classical dance. *The Mission has emerged as a 5000-member family with more than 50 educational organisations, healthcare centres and social welfare units functioning under its umbrella at 5 centres i.e. Aurangabad, Nanded, Navi Mumbai, Noida and Parbhani* (<http://www.mgmcen.ac.in/mission-objective.aspx>. emphasis added).

NATIONAL INSTITUTE OF EDUCATIONAL PLANNING AND ADMINISTRATION

The National Institute of Educational Planning and Administration (NIEPA) has its origin dating back to 1962 when the UNESCO established the Asian Regional Centre for Educational Planners, Administrators and Supervisors with its nomenclature changing to Asian Institute of Educational Planning and Administration in 1965. The AIEPA was later merged with the Government of India's National Staff College for Educational Planners and Administrators as its Asian Programmes Division in 1973. Subsequently, with increasing role and functions of the National Staff College, particularly in capacity building research and professional support services to the central and state governments, it was rechristened as the National Institute of Educational Planning and Administration (NIEPA) in 1979.

In recognition of the pioneering work done by the institution in the field of educational policy, planning, administration and finance, the Ministry of Human Resource Development, Government of India has empowered it to award degrees by conferring on it the status of 'Deemed to be University' in August 2006 under Section-3 of the UGC Act, 1956. Like any Central University in India, NIEPA is fully maintained by the Government of India. The National Institute of Educational Planning and Administration is a premier institution dealing with research, teaching, capacity building and supporting professionals in policy, planning and management of education not only in India but also in South Asia.

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