

ALL INDIA FORUM FOR RIGHT TO EDUCATION (अखिल भारतीय शिक्षा अधिकार मंच)

26th July 2010

To,
The Prime Minister,
Government of India
New Delhi

Sub.: Policies of privatization and commercialization of Higher (including Professional) Education and the related Bills in the Parliament.

Sir,

We the teachers' and students' organizations, grassroots groups, academics and social activists from 16 different states representing the ALL INDIA FORUM FOR RIGHT TO EDUCATION (AIF-RTE) are deeply distressed at the policies of **systemic withdrawal of the State from Higher (including Professional) Education** being pursued ruthlessly by the Central Government. These policies are clearly designed to increase the pace of privatization and commercialization of Higher Education, resulting in rapid increase in the cost along with fall in the quality of education. At the root of such policies is the alarming decision of the government to make education at all levels, including school education, **a tradable commodity and, therefore, a source of profit**. At least in the case of Higher Education, these policy measures seem to be a consequence of the **“offer” made by the government to GATS to bring Higher Education under the WTO regime as a tradable service**.

We note that the post-independence policies and the education system had already strayed significantly from the vision evolved during the freedom struggle. In Higher Education, this resulted in restricting access (now touching hardly 12% of the relevant age group), inequality of opportunity, generally sub-standard institutions (except, of course, a handful of high quality institutions in various disciplines) and, more importantly, in uncoupling education from the needs of India's economy, challenged by impoverishment, disparities and questionable direction of development. Yet, the policies focused on developing an independent, critical system of Higher Education in the social sciences and humanities and promoting self-reliance in the areas of science and technology. **The State has now apparently decided not to pursue this unfinished task** of fulfilling the aspirations of the people through a primarily State-funded but democratic and decentralized system aimed at equitable social development. Instead, **the neo-liberal shift is embedded in a market-oriented, instrumentalist approach to knowledge designed at producing a cheap skilled but slavish workforce to serve the corporate-controlled global economic agenda** of appropriation of people's natural resources, habitats and livelihoods for profit, subjugation and hegemony.

Beginning with the Ambani-Birla Report (2000) during the NDA rule, Sam Pitroda's Knowledge Commission Report and Yashpal Committee Report on 'Renovation and Rejuvenation of Higher Education' submitted during the UPA-I and UPA-II governments respectively essentially upheld and extended the neo-liberal agenda in education. With a view to legitimize and intensify its neo-liberal assault, the UPA government has now introduced in the Parliament the following four Bills:

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सबको शिक्षा एक समान, मांग रहा है हिंदुस्तान!

● शिक्षा नहीं कोई कारोबार, है यह जनता का अधिकार!

- i. The Foreign Educational Institutions (Regulation of Entry and Operations) Bill, 2010.
- ii. The Educational Tribunals Bill, 2010.
- iii. The Prohibition of Unfair Practices in Technical Educational Institutions, Medical Educational Institutions and Universities Bill, 2010.
- iv. The National Accreditation Regulatory Authority for Higher Educational Institutions Bill, 2010.

At least two more Bills in the same vein, including one on establishing the much-hyped National Commission for Higher Education and Research for facilitating single-window clearance for private/foreign universities , are reportedly in the offing.

The government has now instituted the policy of **Public Private Partnership (PPP)** in all sectors of education – **a policy designed to shift public resources to the corporate (including foreign) capital and, at the same time, allowing unregulated profiteering by hiking up fees.** This neo-liberal measure is also evident in the farcical Right to Education Act, 2009. We further recognize that the hidden agenda of providing low interest loans to the students is again to facilitate the growth of expensive private/foreign educational institutions, rather than to help the students. Recently, the decision to establish **Education Finance Corporation of India Ltd.** has also been made with a view to provide low-interest loans not just to the students but also to corporate capital and NGOs (including religious bodies) for setting up profit-making educational institutions. Along with this, a policy for promoting **unregulated FDI** in Higher Education is going to be legitimized through the new laws to be enacted in the Parliament.

The above **policies unabashedly violate the Constitutional imperatives of equitable development, social justice and national sovereignty.** We reiterate that the knowledge agenda inherent in the neo-liberal policy shift promotes pro-market and pro-corporate development to the detriment of the masses and their natural resources like land, forest and water. If these policies are pursued further, the government would be responsible for increasing social tensions and widening socio-economic gaps. **What India needs at this juncture instead is a plan to improve the quality of 500 plus universities and 22,000 colleges along with several-fold increase in public funding and the number of educational institutions in all disciplines, including professional areas.** No country in the world has ever achieved this objective by injecting a handful of foreign or the so-called ‘innovative’ universities.

We are further shocked that none of the above policy shifts, made in rapid succession during the recent years, have been preceded by public debates and wider consultation with academia which is at the core of Indian democracy. The same holds true for the aforementioned four Bills in the Parliament. **The only consultations that the government has apparently relied upon are those it preferred to hold with India Inc.** in general and the various chambers of commerce and industry in particular. We condemn this undemocratic practice and kowtowing to the vested interests of corporate capital.

While OUTRIGHT REJECTING THE NEO-LIBERAL POLICY CHANGES being introduced through the various Bills in the Parliament, we urge upon you to ensure that,

- 1) *given the fact that the government is moving away from the spirit and the vision of our Constitution as well as the existing policy framework, **transparent public debates and consultations are organized up to the district level*** before any legislative shifts are made (as was recently attempted in the case of Bt Brinjal, for instance);
- 2) **the pro-market and pro-corporate capital knowledge agenda as well as the nature of development emerging therefrom,** inherent in the above Bills, is revealed and scrutinized **in the light of Constitution’s vision** of moving towards a democratic, socialist, secular, egalitarian, just and enlightened society and its commitment to equality, social justice, elimination of all sources of discrimination and a life with dignity as evident, for instance, in Articles 14, 15(1), 16, 19 and 21 of Part III (Fundamental Rights), Articles 39, 41, 43, 45 and 46 of Part IV (Directive

Principles), Article 51A (Fundamental Duties) and other imperatives e.g. Article 350A (rights of the linguistic minorities);

- 3) **all provisions facilitating and legitimizing profiteering from education**, repatriable or not, are identified and eliminated;
- 4) **the policy of promoting FDI and PPP in education** is reversed and replaced by adequate and appropriate public funding of education at all levels from pre-primary to higher education; &
- 5) **the Higher Education policy is reconstructed in order to rejuvenate and reorient the existing system so that it provides entirely free and quality education with equal opportunity** for all sections of society and, at the same time, is aimed at equitable and just social development in a democratic, decentralized and participative mode through District-based Universities committed to regional development with a global outlook.

Finally, the neo-liberal Right to Education Act, 2009 compels us to state the obvious. **A multi-layered school system with sub-standard schools for the vast majority of nation's children, as legitimized by the above-named Act, is no prescription for creating a vibrant Higher Education sector with equal opportunity for all.** The increasing replacement of the State's Constitutional obligation to guarantee adequate funding for school education from pre-primary to Class XII by PPP leading to shifting of funds to the corporate capital and the NGO sector is alarming. The refusal by the government to restore the policy commitment to build a **fully State-funded Common School System based on Neighbourhood Schools**, managed through democratic, decentralized and participative mode and designed to ensure entirely free education of equitable quality with diversity, is detriment to the development of Higher Education as well.

Unless the government begins **to envisage the education policy holistically in light of the Constitution**, we would continue to play a subservient role for the benefit of the neo-liberal economic order, rather than promote social development. We appeal to you to undertake **a comprehensive public review of the policy shifts in the entire education policy in general and Higher Education in particular, before taking any further legislative action.**

Yours sincerely,

Members of the Presidium

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Former Director, Bose Institute
Kolkata

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ON BEHALF OF THE ALL INDIA FORUM FOR RIGHT TO EDUCATION (AIF-RTE)

Copy to: Sh. Kapil Sibal, Minister of Human Resource Development, Government of India, New Delhi.

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