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Special Issue Editors' Afterword

Protests, Repression, Restructuring: Contemplating Indian Higher Education in 2018

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Contents of this Special Issue

The seven papers which feature in this special issue on recent protests in Indian higher education institutions (HEIs) were conceived in 2016 and largely written in 2017. Such protests in early 2016 – particularly in Jawaharlal Nehru University (JNU) and Hyderabad Central University (HCU) – were obviously the spring board for the special issue. The rigours of research-based reflection and formulation, peer consultation and academic publication naturally make for a slower process than, for instance, the production of journalistic accounts. In scholarly circles, the period between these papers being written in 2017 and their publication in 2019 would usually be considered a short one, so their immediate relevance is unquestionable and they will remain so for the foreseeable future. Nevertheless, it seems expedient to give an update in this Afterword, written at the end of 2018. The area addressed here has been and continues to be a remarkably busy one. Some significant developments have taken place in this interim year, 2018, which underscore observations made in these papers.

As observed already, the immediate motivation for this special issue were the protests in Indian universities which appeared to intensify and broaden particularly from early 2016. Stretching back and forward from that juncture, the preceding seven papers take somewhat different approaches. Beginning with the 2016 protests in JNU and HCU, Suman Gupta explored the interweaving of neoliberal management rationales with the seemingly contrary, and currently dominant, essentialist nationalist discourse in India. He found that the situation in Indian higher education (HE) resonates variously with those in other contexts, globally. Also starting from JNU and HCU, Pramod Nayar sketched the broad contours of neoliberal rationalisations of Indian HE and its coercive apparatus, and considered protest as a site for developing a critical pedagogical consciousness. Supriya Chaudhuri maintained a sustained focus on the *Hokkolorob* protests in Jadavpur University in 2014, and tracked lines of more general import regarding national-level HE policy, the university as a gendered space, and indeed the idea of the university itself. Similarly, Mohinder Singh and Rajarshi Dasgupta's contribution had a specific focus: the back-story, unfolding, and media representations of the 2016 JNU protests. By theorising the specific events and representations they reached towards broad issues: class and caste conflicts, majoritarian nationalist mobilisations, the prevailing mediascape and the troubled situation in Kashmir. Both Chaudhuri's and Singh and Dasgupta's papers paid close attention to the performative aspects of protest and representation. Also starting from the 2016 juncture, Subarno Chattarji delved further into the media representations of these protests, and of students and university matters more

generally. He discerned the workings of a propaganda model, grounded in the corporate structure and political undergirding of the media industry. Taking a longer historical perspective, Surajit Mazumdar approached the current juncture by tracing phases of developments in Indian HE after independence as reflected in student politics. He concluded with an assessment of the 'neoliberal transformation' project that is now well underway, and found promise in the student protests that challenge it. Departing from a particular momentum in 2016, the longer historical perspective is most salient for Huzaifa Pandit's paper on student activism in Kashmir. The specific position of Kashmir in India, with a fraught history of denial of self-determination, communal tensions and the corrosive presence of the Indian army, poses a particular challenge for celebratory essentialist nationalism. Pandit tracked student activism in Kashmir through the interstices of this history, the political thrust of which is now evinced with increasing strength.

The obvious common denominator in these papers is their preoccupation with coercive authoritarian governance which operates in a linked-up manner from the level of specific local institutions to regional level to national level. Especially after the installation of the right-wing Bharatiya Janata Party (BJP) in central government from 2014, such governance has strongly championed principles which are socially conservative on the one hand and designed for the economic benefit of elites on the other. However, the groundwork for these thrusts were laid considerably earlier, including – particularly on the economic front -- under the preceding Congress Party-led government. On the front of social conservatism, which is often the immediate cause for disaffection, the current dispensation is characterised by majoritarian religious and upper caste assertions in the name of owning the 'nation', and the coeval patriarchal repression that comes with it. Focusing on the HE sector here allows for the features of such governance to be described in a grounded and evidenced way, with its spread from local institutional to national level in view. By examining how students respond to the prevailing situation, these papers both track how that mode of governance affects well-defined and diverse groups, and also consider the alternatives that are sought and contemplated within those groups. The focus here is on student and teacher *protests*, so mostly on the response from below which opposes the conservative, anti-egalitarian and patriarchal tenor of government and university authorities. But equally, it becomes clear that a considerable section of students and teachers is aligned with those repressive authorities. The confrontations are as much amongst students and teachers as between students and teachers and the authorities. The socially conservative thrust of such governance occupies the political segmentations and confrontations directly, so that questions of identity and belonging/othering are foregrounded in protests. The intermeshing of such socially conservative governance with anti-egalitarian economic arrangements is comparatively muted in the response from below, activated occasionally in fragmented issue-specific ways: rising fees here, removal of a grant scheme there, higher cost of transport or food yonder and so on. However, most of the above papers suggest that the economic rationale may well be the *raison d'être* for the socially conservative forces, or at the least provides sustenance for the latter to be perpetuated.

Protest and Repression

In 2018 the kinds of student protests discussed in the papers above continued and continued to grow in terms of incidence. The participation of students in the larger disruptions of

Kashmiri politics, not particularly addressed to HE governance, was a constant refrain in the news. The University of Kashmir, the Central University of Kashmir, Bemina Degree College, Amar Singh College and Women's College in Srinagar have all been sites of student protests and coercion of students. Kashmiri students in universities elsewhere in India have often found themselves on the wrong side of university authorities. Also on broader political issues, student bodies representing North Eastern states organised large-scale protests against the controversial Citizenship (Amendment) Bill 2016. With a particular focus on HE governance and policy, the protests at institutional level were numerous and dispersed. A significant number were directed against university administrations which operate rules that discriminate against female students. Restrictive curfew hours for women's hostels on campuses were a particular issue at stake: persistent protests against these took place in Jamia Millia Islamia University, Delhi University, Punjab University, Rajasthan Central University, among others. Blatant sexual misbehaviour and assaults on female students which were treated with indifference or effectively condoned by university authorities spurred significant demonstrations in Banaras Hindu University, SRM Institute of Science and Technology, Hidayatullah National Law University, Allahabad University. Right-wing nationalistic and religious activity supported by university authorities ('saffronisation campaigns'), caste discrimination, and corresponding muzzling of alignments opposing these underpinned protests in Aligarh Muslim University, Pondicherry University, Madras University, Manipur University, Kerala University, Central University of Kerala, MGR University, Central University of Tamil Nadu, Tata Institute of Social Sciences, India Institute of Technology (IIT) Kanpur, IIT Madras, among others. JNU continued to be a focal point of protests by students and teachers, with the brunt of opposition turning on the university administration – the Vice Chancellor and his executive flouting established procedure and principles of consultative decision-making to bring in curriculum changes, push ideologically-guided appointments and gag critical voices. Irregular appointments (especially at VC and senior management level), rising fees and living costs in campuses, cuts in funding, mismanagement of infrastructure, arbitrary interference with academic procedure, and strong-arm repression of dissent aroused protests in the Birla Institute of Technological Science, IIT Kharagpur, IIT Indore, Dr Abdul Kalam Technical University, Manipur University, Lucknow University, Mysore University, Presidency University, Jadavpur University, Calcutta Medical College, among others. Many such protests have occasioned counter-protests by nationalist and Hindu-majoritarian student groups, and been beset by violent confrontations. Each of the universities named have been sites of protests that were individually covered in national news media in the course of 2018 – too numerous to list here.

What these news reports also show is that university authorities have, in almost every instance over 2018, resorted to ham-handed suppression of protests, ably supported by the police (who appear to have untrammelled access to universities now), legal functionaries and BJP Ministers and Members of Legislative Assemblies (MLAs). Trivial sedition charges and show-cause notices have been brought against protestors. Arrests, beatings and *lathi* charges (assaults with sticks) by police (usually helped by goons) on campuses have become commonplace. VCs and their executives have enacted new rules to proscribe protests, summoned the police on small pretexts, conducted disciplinary procedures and issued punishments ranging from fines and cutting of grants to debarring from examinations and dismissals – almost invariably targeted at students and teachers from left and liberal, minority or women's alignments. Through 2018 it also became clear that such repressive tactics were

not merely being encouraged by but were increasingly being coordinated by the central government. The University Grants Commission (UGC) appeared at times in 2018 as a coordinating centre for gagging protests. The UGC is a statutory body under the central government's Ministry of Human Resource Development (MHRD) charged with regulation of standards of all publicly recognised HEIs. It also disburses central funding for a significant number of HEIs, i.e. for those that are not funded by federal states or private bodies. Since 2014 it has appeared more determined than earlier on centralising authority over centrally funded HEIs, pushing structural reform of governance and financial arrangements, enforcing new programmes, and directing observance of various nationalistic events. In 2014, when a UGC Code of Professional Ethics for university teachers dating from 1989 started being enacted by certain universities as a set of rules carrying punishments for infringement rather than as a code of good practice, a few eyebrows were raised (this comes up in papers by Gupta and by Chattarji above). In 2018, rather more unease was expressed when, in a letter from UGC to centrally funded universities, it was stated that pending the framing of new Statutes, Ordinances and Regulations: 'For service matters, the University should follow the Govt. of India rules/orders as applicable to Central Govt. Civilian employees'¹. This was immediately recognised as referring to the Central Civil Services [CCS] (Conduct) Rules 1964², which, among other strictures, forbids civil servants from being,

a member of, or be otherwise associated with, any political party or any organisation which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity. (Clause 5.i)

Civil servants are further exhorted to prevent their family members from activity that may be considered 'subversive of the Government as by law established' or to report them. It also has the following rule:

No Government servant shall, in any radio broadcast, telecast through any electronic media or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion --

(i) which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or a State Government (Clause 9)

In fact, in the CCS rules there are numerous other restrictions on expressing critical views or engaging in political activity which, if applied to university teachers, would put an end to critical thinking and academic integrity. Authorities in several centrally funded universities, including JNU, moved quickly towards implementing it. Understandably, the directive met with strong opposition in JNU³. Its implementation was stopped in JNU in October 2018, after the MHRD clarified that it wasn't a directive but an option offered to central

¹ University Grants Commission (UGC), "Letter: Adoption of Government of India/UGC rules for various administrative, financial, establishment and service matters till framing of relevant Statutes, Ordinances and Regulations of the University – reg.", F.No. 22-9/2017(CU), 1 May 2018.

² For the full-text of Central Civil Services [CCS] (Conduct) Rules, 1964, see Department of Personnel and Training, Government of India. <https://dopt.gov.in/ccs-conduct-rules-1964>.

³ Expressed cogently in Jawaharlal Nehru University (JNU) Faculty, "The Imposition of CCS Rules in Central Universities: Statement by JNU faculty". *Kafila*, 21 October 2018. <https://kafila.online/2018/10/21/the-imposition-of-ccs-rules-in-central-universities-the-view-from-jnu/>

universities. However, the option has been taken in some universities and others may follow suit. This Afterword has more to say about the UGC and MHRD later.

As observed already, in this melee of multipronged protests, confrontations and repressive measures in universities across India, financial restructurings have seldom aroused protests in themselves. Their deleterious effects, usually locally felt, have caused disaffection at local levels, and protests have taken place in specific HEIs and directed at specific HEI authorities. However, the economic logic underpinning the circumstances in the HE sector described briefly here are obviously clear to those involved in such protests – the more so the more closely they engage with the bureaucratic machinations of university authorities. So, when IIT Bombay issued an invitation to Prime Minister Narendra Modi to join the 56th convocation of the institution in August 2018 as chief guest, some students of the institute issued a statement objecting to the invitation. It carried a succinct analysis of the financial structuring of HE conducted under Mr Modi's government:

Expenditure of the Indian government in education is abysmally low, and it is almost negligible in higher education, compared to many other countries. Budgetary expenditure in higher education is in a steep decline for the last few years as more and more private universities are coming up and public universities are compelled to hike their fees, leading a large number of students to difficulties and forcing many out of higher education. [...] This ever declining public expenditure in education, is making us question the higher education policy of the ruling government, and naturally we wonder, whether Mr. Modi wants higher education for all, or whether he is promoting the Brahmanical idea of education only for a few people, belonging to upper caste and upper class backgrounds.⁴

It noted figures for uneven distribution of the decreasing funding within the sector, cuts in grants to curtail access to HE for minorities and economically depressed populations, and large-scale restructuring of the government's regulatory mechanism for HE via UGC. In the event, Mr Modi did attend the convocation to a rapturous reception. He delivered a speech (in a mixture of Hindi and English) which included, among other high-flown sentiments, the following observation (in Hindi):

Today the government is working with all your aspirations, and all the aspirations of crores of young persons in the country, squarely in view. I only urge you not to entertain any apprehensions about being unsuccessful, to not worry whether you will or will not succeed, whether you should or shouldn't do; forget doubts and focus on Aspirations. High goals and high thought will inspire you more, doubts will limit your Talent.⁵

⁴ IIT Bombay Students, "Statement of IIT Bombay Students Against Invitation of Narendra Modi in Convocation", *Counter Currents*, 11 August 2018. <https://countercurrents.org/2018/08/10/statement-of-iit-bombay-students-against-invitation-of-narendra-modi-in-convocation/>

⁵ Narendra Modi, "Text of PM's address at the 56th Annual Convocation of IIT Bombay", 11 August 2018. <https://bighome.iitb.ac.in/index.php/s/9ufNKcBultGHzgA>. In Hindi, the quoted text read:

आज सरकार आप सभी की, देश के करोड़ों युवाओं की आकांक्षाओं को सामने रखकर काम कर रही है। मेरा आप सभी से भी इतना ही आग्रह है कि अपनी असफलता की उलझन को मन से निकालें, सफलता मिलेगी नहीं मिलेगी, करु ना करु , उलझन को निकाले और Aspirations पर फोकस करें। ऊंचे लक्ष्य, ऊंची सोच आपको अधिक प्रेरित करेगी, उलझन आपके Talent को सीमाओं में बांध देगा।

This could be regarded as the answer to one of the observations made in the students' statement:

Despite our privileged status as students of IIT Bombay, we are indeed concerned about the falling rate of employment across the country. [...] Whereas recruitment in government sector is almost negligible and employment in other sectors are falling, we are rightfully concerned about the validity of the entire 'Make in India' narrative and how much it actually guarantees. Without presence of any reservation for SC/ ST or OBC [Scheduled Caste/ Scheduled Tribe and Other Backward Class] candidates in the private sector, more than 50 % of the Indian population with higher education, are likely to be pushed out of the job market as well. The prime minister is expected to answer for this exclusion in the employment sector.⁶

The Prime Minister's answer was: don't worry, think big.

Moves in Central Restructuring

Among other points, that students' statement expressed concern about ongoing moves toward comprehensive restructuring of HE governance and funding at central level. Numerous media reports and features in 2018 have also discussed such restructuring as steps towards the 'privatisation of higher education' or 'marketizing public universities'. While those phrases are apt, they are also a bit vague. They suggest a coherent HE strategy on the government's part. Such a strategy is however not easily pinned down in documents. Rather, a range of bureaucratic texts (legislative bills, consultation papers, policy statements, regulatory directives, amendment notifications, contracts and Memoranda of Understanding, etc.) from a wide swathe of government and other bodies (at levels from the MHRD and its constituent departments to various companies to the ground level of HEI institutions) articulate an overarching strategy in a piecemeal manner. Moreover, relevant articulations of that strategy are generally couched in an unappealing bureaucratic jargon, padded with routine formalities, and often placed in sub-clauses and small print with opaque references. As in much neoliberal functioning worldwide, it is the links between dull and functional texts and subtexts rather than grandstanding vision and mission declarations that operationalise a broad strategy – one that may effectively be dubbed 'marketization' or 'privatisation'. The thread which principally holds the links together is a mode of financial rationalising. That was precisely the manner in which the comprehensive restructuring moves for HE unfolded in 2018. Their significance is such that an extended pause on them here seems expedient, and the financial logic they work with is of particular interest here.

To present the HE restructuring project in terms of certain 'moves' is to reduce its complexity, or rather to focus attention on salient elements in its complex spread. In fact, only two sets of moves as they appear at the end of 2018 occupy the remainder of this Afterword. These are best delineated in two segments which can then be cross-connected.

1. There are three statutory bodies for the regulation and public funding of three parts of the HE sector in India: the University Grants Commission (UGC, established by a 1956 Act), All India Council of Technical Education (AICTE, 1987 Act) and the

⁶ See note 4

National Council for Teacher Education (NCTE, 1993 Act). As ‘statutory’, their determinations are enjoined with legal compulsion within their jurisdictions. All three have responsibilities for the maintenance of standards in and regulation of their respective spheres. In terms of managing public funding for HE, UGC has significant grant-making responsibilities and AICTE some, NCTE none: so, for 2018-19 the central government allocation for UGC was ten times that of AICTE, Indian Rupees (INR) 4691.94 crores as opposed to 485 crores (1 crore is equal to 10 million)⁷.

In July 2017 the government announced its intention to replace both the UGC and the AICTE by a single regulatory body. Over the following months the idea of replacing AICTE was put on the backburner, but steps towards replacing UGC continued. By June 2018, a draft Act to establish a new body and dismantle the UGC was made public for consultation: the Higher Education Commission of India (Repeal of University Grants Commission Act) Act 2018, or the HECI Act 2018⁸. This proposed that the regulatory and standard-setting role of UGC would pass, with some modifications, to HECI. However, UGC’s responsibility for disbursing central funding to HE would not be taken by HECI but rest directly with MHRD. Opposition-party Parliamentarians raised various objections to these proposals, and in fact the draft HECI Act was not put to Parliament in 2018. The government held it back on the plea that modifications would be made to assuage doubts and it would be presented later. The draft Act did nevertheless reveal the thrust of the government’s HE policy making. It seems likely that in some guise a body like HECI would be sanctioned by Parliament to replace UGC in due course. Alternatively, the purposes served by the draft Act may be enacted by amending rather than repealing the UGC Act.

2. The second set of moves began somewhat earlier, and the reason for putting them second here will become apparent below. In September 2016, the government’s Cabinet approved the plan to set up a Higher Education Funding Agency (HEFA) ‘in order to give a big push for building up robust higher educational institutions’⁹. With a speed that is astonishing for Indian bureaucracy, MHRA signed a Memorandum of Understanding with Canara Bank in February 2017 to partner in HEFA, and then a Joint Venture Agreement in March 2017. HEFA was incorporated in May 2017 as a Joint Venture company under section 8 of the Companies Act 2013¹⁰ – so, a non-profit public sector company but not a government body (which would need a Special Act of Parliament). Initially MHRD put in INR 250 crores and Canara Bank 50 crores

⁷ MHRD, “Notes on Demands for Grants, 2018-19: Demand No.58, Department of Higher Education”, 2018. <https://www.indiabudget.gov.in/ub2018-19/eb/sbe58.pdf>

⁸ For the full-text: Government of India, Higher Education Commission of India (Repeal of University Grants Commission Act) Act 2018 -- Draft. http://mhrd.gov.in/sites/upload_files/mhrd/files/HE_Col_India_2018_act.pdf

⁹ MHRD, “Year End Review 2017”, 27 December 2017. <http://www.pib.nic.in/PressReleaseSelfframePage.aspx?PRID=1514254>

¹⁰ The full-text of the Companies Act 2013 is found at <http://www.mca.gov.in/Ministry/pdf/CompaniesAct2013.pdf>. Section 8 concerns ‘Formation of companies with charitable objects, etc.’

as equity, but in July 2018 the HRD Minister announced that HEFA's capital base would be expanded to INR 10,000 crores, while tasking HEFA to mobilise INR 100,000 crore by 2022 from other contributors¹¹. In the meanwhile, from its initial equity HEFA had given loans for infrastructure projects in centrally funded HEIs, mainly IITs (Indian Institutes of Technology) and NITs (National Institutes of Technology).

These moves have largely been promoted as consistent with increasing the 'autonomy' of the public HE sector. 'Autonomy' has ever been a term for policy makers to conjure with¹². In principle it sounds good and carries positive normative connotations, but in practice it could work to undesirable and even internally contradictory ends.

In the current Indian context, there are three shades of the term 'autonomy' that are relevant here. First, it may suggest that teachers, researchers and students (academic workers) would have the prerogative to determine the content of academic work (pedagogy, research) and pursue it with minimum political interference and financial manipulation – *academic autonomy*. Such a notion could serve to maintain academic disinterestedness and integrity, and work through peer regulation. However, that is not what 'autonomy' means here¹³. Second, it may suggest that HEIs would have institutional prerogatives to determine the content of academic work, and would be reasonably self-determining in management terms – *institutional autonomy*. That is, institutional managements would operate with minimum interference from government or non-governmental funders and their agendas. This is what the term is taken to mean here, but with important qualifications. That is the accepted principle insofar as institutional managers determine academic work and exert control over academic workers. However and more importantly: third, 'autonomy' may be understood as

¹¹ Government of India, "Expansion of Higher Education Financing Agency to fund Revitalising Infrastructure and Systems in Education (RISE) by 2022", Press Information Bureau, 5 July 2018. <http://pib.nic.in/newsite/PrintRelease.aspx?relid=180431>

¹² It may be recalled that 50 years earlier, organisations of the May 1968 student protests in France had worried about the use of the term 'autonomy'. For instance, in the 1968 proposals made by the students' union L'Union Nationale des Etudiants de France (UNEF), a strong concept of what's called *academic autonomy* below was promoted with grave doubts about *institutional autonomy*, by enabling students to become decision-makers: "Without student power [university] autonomy is a trap since it amounts to giving power to the mandarins who govern us" -- *The Student Revolt: The Activists Speak*, compiled by Hervé Bourges (London: Jonathan Cape, 1968), p.110.

¹³ Again, it is useful to refer back to the May 1968 protests in France to consider what was articulated then as the desirable horizon of *academic autonomy*. The teacher's union, Syndicat national de l'enseignement supérieur (SNESup), gave an explanation of what such autonomy should mean once 'students and teachers [...] conquer power positions within the university system'. They rejected 'the conception of competitive universities acting on their own account, like industrial or commercial firms', and defined [academic] autonomy as:

- Autonomy in financial matters, within a framework of financing by public authorities;
 - Free determination of the form and content of education as of the methods for analysing students' capacities;
 - The installation of the control procedures already discussed [between students and teachers];
 - Full exercise of union and political freedoms, which imply free communications in university and society.
- The Student Revolt*, see note 12, pp.122-23.

nuancing institutional autonomy with *financial autonomy*. Arrangements made under the guise of ‘autonomy’ could thus mean enabling HEIs to use funding allocations in self-determined ways and to generate funding independently. Interestingly, such financial autonomy usually curtails institutional autonomy more effectively than enabling it. On the one hand, a principle of financial autonomy could be used to reduce government spending on public HEIs and push them to generate funding from elsewhere. On the other hand, it could be used for devolved public funding of HEIs combined with stronger regulatory oversight from governmental and non-governmental funders. The pertinent senses of ‘autonomy’ in the moves outlined above are, then, a combination of *institutional autonomy* and *financial autonomy*, with the latter used to curtail and manipulate the former, and the former used to minimise any remaining subscription to *academic autonomy*.

In this model of HE ‘autonomy’, the government finds it useful to put a wedge between sector-wide regulation of standards and central public funding mechanisms. Delinking funding and regulation has two implications. On the one hand, insofar as there is a necessary relationship between funding and standards (quality) of pedagogy and research, *financially autonomous* HEIs can be obligated to seek funding from other than public sources. On the other hand, *institutionally autonomous* HEIs with devolved budgets can nevertheless be held accountable for maintaining standards by independent extrinsic regulation. Insofar as government bodies do that extrinsic regulating, that can be undertaken by regulators with no responsibility towards or accountability for the HEIs financial health. Linking public funding mechanisms and maintenance of standards is apt to be seen as making a concession to principles of *academic autonomy*. In touting HE ‘autonomy’, the restructurings in question are designed to erase any nuance of academic autonomy from the term.

The most important element of the first set of moves outlined above, around the (draft) HECI (repeal of UGC Act) Act 2018, is that it drives precisely such a wedge between regulation of standards and central public funding mechanisms. In the proposed HECI the responsibility of disbursing public funding for centrally funded HEIs vested in UGC is removed, and the responsibility for regulating standards vested in UGC is retained. It was precisely this element that troubled some opposition-party Parliamentarians when the draft was released. In terms of powers to regulate standards, the proposed HECI actually incorporated rather more than those vested in UGC. A useful analysis comparing the powers in this respect of UGC and the proposed HECI found that:

If we look at the provisions of the act, autonomy in real terms is seriously compromised. First, the provision of ‘graded autonomy’ made under Clause 15(4) (d) may amount to autonomy to a select group of universities, colleges, or institutions. The autonomy to mobilise resources for starting a new programme would amount to privatisation of public-funded institutions and hence would lead to serving the market. Second, with the curricula based on learning outcomes and monitoring effectiveness of programme based on learning outcomes, the autonomy of a teacher is severely restricted to serve employability rather than a free pursuit of knowledge. Third, institutions engaged in the pursuit of knowledge by the very nature of knowledge generation process are autonomous, where the performance of individual scholars is evaluated by other scholars who have the ability and competence to do so. Outside evaluators such as the HECI cannot be allowed to define the parameters of outcome-

based education to monitor teachers and impose accountability in the guise of autonomy.¹⁴

Insofar as regulatory reach goes, the quotations sums up the thrust of the draft HECI Act well: it was designed to wipe clean any remaining vestiges of *academic autonomy*, and gel with the model of combined *institutional autonomy* and *financial autonomy* outlined above.

The draft HECI Act in itself however doesn't sufficiently clarify how the financial side of such HE restructuring would work. It merely appeared with the proposal that the funding responsibilities of the UGC would not pass to HECI but be taken over directly by MHRD. The question that arises is: what sort of mechanism would MHRD follow, independently of HECI, for the disbursal of central public funding for HE? No clear answer to this was given. However, it was widely recognised in news reports and commentary that the second set of moves outlined above around HEFA offer a likely template – indeed HEFA might have been set up to pilot MHRD's forthcoming funding mechanisms for HE generally. If that's the case, then HEFA practices suggest two related strategies for MHRD funding generally: moving from grants to loans, and encouraging private sector investment backed by public spending.

As the responsible statutory body, the funding mechanism followed by the UGC (and other such government bodies) has conventionally been to give grants to centrally funded HEIs and other beneficiaries, following principles of equitability and need. Grants are not recovered and involve fewer administrative costs or overheads (loan recovery imposes an extra layer of administration). It is accepted that grants are *expenditure* for a basic public good and are not, like loans, financial *investments* (so no question of interest rates or fees to be paid by beneficiaries, or claims for such by any partner in the process). As a Joint Venture Company between MHRD and Canara Bank, the HEFA's mechanism for spending central government funding for HE consists principally in issuing loans to HEIs. In fact, at the initial stage five HEFA funding schemes were outlined involving combinations of grants and/or loans – new institutions would receive more grants and older loans¹⁵. In other words, in due course, after initial infrastructure projects are completed, funding would consist in diminishing grants and increasing loans. The main recovery terms on HEFA loans to HEIs offered in 2017 when inviting HEIs to apply were the following:

II. Fixing of Credit Limit:

- 1) The credit limit would normally be 10 times the amount committed to be escrowed by the institution every year from its own internal resources.
- 2) While deciding on the amount proposed to be escrowed, the institution shall ensure that it shall commit resources only from its internal resources, and shall ensure that such an action would not affect the functioning of the institution.

[...]

IV. Security:

Primary/Collateral security may be stipulated by the Board, wherever it is feasible/available.

[...]

¹⁴ Sudhansu Bhusan, "HECI Act 2018 Fails to Address Structural Problems of Higher Education in India", *Economic and Political Weekly* 53:35, 1 September 2018. <https://www.epw.in/engage/article/heci-act-2018-emphasises-outcome-based-learning-but-fails-to-address-structural-problems-of-higher-education>

¹⁵ See note 11.

VI. Pricing of Credit/Rate of Interest:

Pricing/Rate of Interest will be fixed linked to the reference rate at the time of sanction of the loan and the same shall be reset once in 2 years.¹⁶

Since the HEFA is a non-profit by law, one might wonder about the interest rate or fee (pricing). There's a clarification on the payment of interest under Clause XI: 'Payment of interest on these loans would be serviced through the normal grants released by the Government to the institution' – in brief, part of the HEI's direct grant from MHRD (at present through UGC) should be used to repay the interest on the loan from HEFA. If the interest/pricing is set on an estimation of break-even (recovery of loan amount + overheads + projected inflation) then the HEFA won't lose anything. Significantly, the HEFA might gain something if the interest/pricing is set more favourably for it and markets behave well – in which case, presumably, as a non-profit company the gain will add to the HEFA's investment coffers. In any case, the debtor HEI will lose something from its normal grant. The MHRD will feel very much better off because it will have recovered both the loan given through its part in HEFA and recover some of the grant it gave on its own behalf through HEFA. Overall MHRD thus lowers its public spending largely by transferring grants to recoverable loans, and also by recovering a part of such grants in the form of interest for the loans. The only losers are the HEIs. But that's the price of institutional autonomy; in a way, that's the 'benefit' of being given a devolved budget. The HEI has the authority to recover this loss from its 'internal resources' (according to Clause II.2, check the quotation above): that has to mean, principally by making students pay and getting more from academic workers for what they are paid.

HEFA obviously offers a profitable model for MHRD to follow. In wishing to directly take over UGC's grant-making responsibilities, MHRD is probably contemplating a gradual transfer of those to HEFA-style loan giving, with the disappearance of grants altogether as an outer horizon. But MHRD (or its Joint Venture Company HEFA) is evidently not intending to give loans only from its own allocations of public money. It also intends to act as a via media for loans which originate in the private sector. In raising the government contribution to HEFA significantly in July 2018, and 'tasking it to mobilise Rs. 100,000 crore for revitalizing infrastructure and systems in education' by 2022, the HEFA is conferred with responsibility of fund raising. The mechanics of fund raising was clarified thus: 'The money would be raised from the market through Government guaranteed bonds and commercial borrowings, mix of which would be decided in consultation with the Department of Economic Affairs so that the funds are mobilized at the least cost'¹⁷. The sources of such private fund raising had been characterised by MHRD earlier thus: 'The HEFA would also mobilize CSR funds from PSUs/Corporates, which would in turn be released for promoting research and innovation in these institutions on grant basis'¹⁸. Notably, the phrase 'grant basis' doesn't preclude some combination of grants and loans or even simply loans – one of the rhetorical strategies at work here is the blurring of boundaries between grants and loans, simply by labelling the latter as 'grants'. That Public Sector Undertakings (PSUs) and

¹⁶ MHRD, "Letter: Higher Education Funding Agency (HEFA) Credit Policy Framework – communicated" (with enclosure), F.No. 16-2/2017-TC, 16 August 2017.

¹⁷ See note 11.

¹⁸ See note 9.

Corporates (which include private sector companies) are indistinguishable there is understandable: these would include naturally mostly profit-making businesses. In any case, the difference between ‘public’ and ‘private’ corporations now is principally in the regulatory regimes covering them, not in their entrepreneurial objectives.

The expectation there is therefore pinned not on the nature of the companies called upon, but on so-called ‘CSR funds’: an objective-looking acronym which stands for the vague notion of ‘Corporate Social Responsibility’. The phrase is understood generally as referring to ethical business practices or altruistic activities by corporations. The idea there seems to be that corporations would contribute to HEFA because (or insofar as) they are good, socially responsible bodies. In fact, however, it is obvious to all in business circles that it is *unethical* for profit-making corporations to give anything without direct or indirect returns: returns that would be advantageous to the economic interests of its shareholders and employees. So, leaving aside the spin factor of ‘CSR’, we may ask: why would PSUs/Corporates contribute to HEFA? The obvious answer would be because the model of HEFA’s lending to HEIs described above ensures no loss and might be quite profitable -- apart from coming with capitalizable brownie points for ‘CSR’ in public profiles. The direct and indirect returns are promising. Moreover, such investment is relatively secure because the government itself is a significant stakeholder here. That is always a good thing for investors, because the government can manipulate domestic market conditions like no other formation. In the worst case scenario for investors, the government can subsidise returns for contributing PSUs/Corporates from public monies. It is a ‘venture philanthropy’ or ‘social enterprise’ model which has been very successfully in operation in, for instance, the UK and USA since the 1980s¹⁹. Like HEFA, and probably more than HEFA, such investing PSUs/Corporates will not only not lose but probably profit in a secure way by putting some money via HEFA for loans disguised as ‘grants’ to HEIs. At the end of the day, the profits will come from HEIs themselves or some other part of MHRD’s education budget. That’s another way of extracting something out of the process of transferring from grants to loans, this time by way of siphoning public money into private purses. Whatever goes out of the HEIs’ coffers in this process or, for that matter, from the MHRD’s education budget would ultimately be passed on to students (as customers of government services) and taken from academic workers (to be controlled as government servants).

In an incidental way, in contemplating these restructuring moves and their implications, we might wonder why it is Canara Bank that has been chosen as partner in HEFA. It is not the largest public sector bank (PSB); it is the fifth largest and quite small as an operation compared to the State Bank of India (SBI), which is the largest. However, from the government’s point of view, Canara Bank perhaps seems more amenable to its neoliberal principles than SBI. Canara Bank was, after all, the first PSB to float a wholly-owned subsidiary focusing on raising and investing venture capital, the Canbank Venture Capital Fund Ltd., in 1989. More importantly, Canara Bank took on developing software for financial institutions and government from an early stage, and incorporated another subsidiary in 1994, Canbank Computer Services Ltd.²⁰. The government, under a range of Digital India

¹⁹ For a useful discussion see Emily Barman, *Caring Capitalism: The Meaning and Measure of Social Value*, Cambridge: Cambridge University Press, 2016.

²⁰ For details check the Canara Bank website (subsidiaries page) <https://canarabank.com/english/about-us/subsidiaries/>.

initiatives, has over the last four years pinned hopes of lower public spending with greater efficiency through governance facilitated by gigantic digital systems. Perhaps most importantly, by 2016 Canara Bank already had a salutary record of working with MHRD to complement – and gradually replace – direct grants by interest-bearing fellowships and scholarships paid through scheduled banks, with publicly funded interest subsidies. This has had a bearing on the more fine-grained individual level of students from deprived backgrounds who are eligible for such fellowships and scholarships. In 2009-10 the bank was appointed the Nodal Bank for administering such subsidies to scheduled banks. In its 2012-13 Annual Report, the bank noted that it was undertaking the financial administration and developing digital systems to facilitate a range of education-related schemes:

The Bank has been authorized as the accredited banker for Ministry of Human Resources Development (MHRD), handling Department of School Education and Literacy, Department of Higher Education, Department of Arts – Archeological Survey of India, Ministry of Culture and Ministry of Youth Affairs and Sports. The Bank has developed a Web-Portal for Ministry of HRD for e-tracking of funds under the Sarva Shiksha Abhiyan (SSA) Scheme and implemented the web portal in all the States.²¹

In May 2018 UGC announced that it has signed a Memorandum of Understanding with Canara Bank to develop a web-portal so that HEIs would become intermediaries for beneficiary students accessing scholarships and fellowships.

If these restructuring moves at central governmental level unfold as they are unfolding at present and are further planned to, it seems fairly clear that: students will be pressed to pay more for all sorts of expenses in studying and living; academic workers will face increasingly pressured conditions of work; HEI managements will be in a constant cycle of debt, pushed to court government agencies and private sources for funding; such funding will come increasingly with commercially exploitable conditions and ideological agendas attached to them at the expense of academic disinterestedness and innovation; correspondingly HEI managements will become increasingly authoritarian towards academic workers and students to satisfy the demands put on them; and, of course, individual HEIs will increasingly work as rival competitors in the financial market of education rather than collaborators for knowledge development purposes. It seems very likely that the situation suspected by the IIT Bombay Students' statement will be realised: provision of 'education only for a few people, belonging to upper caste and upper class backgrounds'²².

At present these moves have only really aroused objections at the level of media commentary and within legislative circles. It won't be unfair to presume that, within legislative circles, the private and governmental agencies which hope to benefit from these moves have considerably stronger lobbying power than students, academic workers or other such collectives. Outside media commentary and legislative circles, there have been very few collective gestures of objecting to these moves in themselves – in the mould of the protests that this Special Issue has focused on. That is not surprising. There are few civil organisations at national level with the capacity to organise a meaningful protest against these moves. There are plenty of other more immediate and local concerns to absorb the energies of protesting students and teachers. These restructuring moves seem rather abstract at present.

²¹ Canara Bank, *Annual Report 2012-13*, 10 June 2013, p.41. https://canarabank.com/media/2436/canara-bank-annual-report-2012-13_low-res-option-5-1.pdf

²² See note 4.

Once implemented, however, they will be grounded quickly and their effects will be experienced in the local realities of students and teachers to deleterious effect for a long time to come – we may anticipate a prolonged period of disaffection in the Indian higher education sector. Once restructuring has happened it is generally extremely difficult to de-structure.