

# Private univ law needs to be changed

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THE Private University Act 1992 was amended in 2010 to make it contemporary. None of the 53 sections of the amended law has a single word on academic and intellectual freedom in higher education or the university's autonomy. Rather, various sections have been made to keep universities under the strict surveillance of the University Grants Commission through bureaucratic legal entanglement.

One of the clauses states, 'The proposed private university shall prepare a plan for its educational programme, which shall be approved by the University Grants Commission in advance.' Similarly, since Section 24 of the Act on 'Curriculum Committee' (some of whose sub-clauses sound quite vague) is also under the purview of the commission, universities cannot take any initiative or independently implement anything related to educational programmes without the commission's approval. This means that the highest policy-making forums of the university, such as the academic council and the syndicate, cannot make any decision related to the curriculum without the approval of the commission.

Some of the sub-sections of Section 17 of the act relating to the syndicate are extremely undemocratic and one-sided. No one from the rank of assistant professor to associate professor of the university is allowed to be represented in the syndicate, except for one professor representative nominated by the commission and one academician nominated by the government. Besides, one professor (dean representative) and one senior faculty (department head representative) from within the university are to be nominated by the vice chancellor.

According to Section 25, the finance committee shall comprise nine members, including three members from the board of trustees and six others (vice-chancellor, treasurer, finance director and three senior teachers) from within the university. There are no alumni or student representatives in the finance committee. Rather, a provision has been made to appoint one of the trustees as the chair of the committee. There is no safeguard to ensure financial transparency and accountability of the university's income and expenditure.

The major allegation against private universities in Bangladesh is that they are profit-orientated. But the country has a long tradition of fighting against the commercial and profit-orientated practices of education. During the tenure of previous governments, many of these universities under political consideration were approved to conduct educational activities, run different programmes and issue certificates. There are also universities where all the members of the board of trustees come from the same family. And this is an impediment to ensuring transparency and accountability in higher education institutions.

It is worth mentioning that although the Private University Act 2010 is conservative and somewhat authoritarian, the government of Bangladesh overlooked it and allowed many private universities to do business. But, this is also true: some universities are trying hard to impart quality education to students. On the one hand, the aspiration or the imparting of quality education has been questioned over the years and, on the other hand, millions of potential youths have been put at risk of unemployment because some universities are producing graduates in an unplanned way who are not fit for the competitive job market.

Section 42 of the act clearly states 'a student fee commensurate with the socio-economic conditions of the country' and Section 43 states 'appropriate salary structure and service regulations for teachers, officers, and employees'. But there are inconsistent fees and inappropriate salary structures in most of the private universities. This definitely indicates a discriminatory system. Many are not following the provision in Section 4 of the act that 'at least 6 per cent of the full-time students admitted in each academic year in private universities, out of which three per cent seats are reserved for children of freedom fighters and three per cent seats are reserved for admission of meritorious but poor students from remote and underdeveloped areas.' The instructions to provide these students with the opportunity to study at the university without paying all fees and to submit the list of such students studying in each academic year to the commission are also ignored. Apart from this, various inconsistencies are also seen in the case of faculty recruitment and promotion.

Amendments to the act are the need of the hour. Some recommendations for the desired amendments could be (1) the freedom of thought/speech and academic freedom should be ensured within the university; (2) there should be a faculty union (academic union), ut it must not have a partisan political identity in any form; (3) there should be a central student union, which will systematically represent the students; it also must not have a partisan political identity; (4) a competitive salary structure must be ensured for teachers and employees; (5) job security and service benefits (gratuity, provident fund, pension scheme, health insurance, etc), sabbatical leave, maternity leave, study leave and adequate research grants should be ensured; (6) student tuition fees should be reasonably fixed; (7) a uniform grading system should be introduced; (8) deserving professors who are academically and administratively competent and bright should be appointed vice-chancellors and pro-vice-chancellors; no political affiliation should be considered in this regard; (9) not more than two members/trustees from the same family should be included in the board; (10) no trustees should hold any profitable position at the university; they should not even engage in any full-time position/work for which they get the monthly pay; (11) the reserve fund or the bank transactions of the university should be managed by the vice-chancellor/pro-vice-chancellor/registrar and treasurer; (12) one-third of the total members of the university's board should be academicians or educationists/educators from home and abroad; (13) teachers, current students and alumni should be present at the university's budget sessions; there should be a handsome allocation for research in the budget every year; (14) the budget should be made available on the university's official web site; (15) at least three teacher representatives, one current student and one alumnus should be included in the finance committee. The vice chancellor should, of course, head the committee.

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