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Point-counterpoint

The University Ordinance, 1973—a scapegoat

A.Z.M. Haider

A LOT of hue and cry has been raised during the past few weeks over the University Ordinance of 1973 which is apparently being made a convenient scapegoat for all the ills afflicting the academic life of our universities. The government thinks its failure to curb violence and bloodshed in the universities is mainly due to the 73-ordinance which is thought to have seriously restricted its power to take action in the event of untowad incidents in the campuses. By and large the university teachers, on the other hand, are of the opinion that the ordinance is sacrosanct and hence it can under no circumstance be amended or changed even if changes or transformations are considered necessary to meet requirements of the changing society.

The scepticism of the teaching community against any move to amend the ordinance of 1973 is principally due to the apprehension that under the pretext of amending or changing it a move may be made to put a brake on the freedom of the universities. That is the price the teachers and their taught in the universities are not prepared to pay. To trace the genesis of this apprehension one is required to go back to the University Act of 1961 passed by the Ayub Administration to restrain the autonomy of the universities.

That Act, which replaced the University Act of 1920, provided for appointment of the Vice-Chancellor by the Chancellor who at that time used to be provincial governors or the President himself. Under the University Act of 1920 a vice-chancellor used to be appointed from a panel suggested by the Executive Committee or the senate consisting of eminent personalities including senior educationists. The Committee used to draw up a panel on the basis of some sort of election. The Deans of different faculties. under the Ordinance of 1961, used to be nominated by the Vice-Chancellor for appointment. What was most retrograde provision of that ordinance was that under it the Executive Committee had no role to play and that the University Court was abolished. Thus the reprehensible Act of 1961 was brought into being to strip the universities of their autonomy. Its provision for appointments to the office of the Vice-Chancellor and to other key posts like those of the Deans, for example, was intended to allow the government to retain its stranglehold on the authority of the universitres, A former Vice-Chancellor told this writer that the 1961 Act passed by the then government was, by all tests and standards, a black law.

The university teachers had to wage a protracted battle to get the ordinance of 1973 which ensured them a fair degree of autonomy, for running their universities. Under the ordinance of 1973, which is now in vogue, the Chancellor can appoint a Vice-chancellor from a panel elected by the senate. Likewise the offices of the Deans have been made elective. The senate, which serves the purpose of university court,

as also been revived and esurrected.

It is being argued that the utonomy granted to the uni- ersities under the Ordinance f 1973 is being grossly abused ainly because they are not countable for any of their tions including financial nsactions to any one. It is ntended that 98 per cent the financial allocations to iversities are funneled out of government money is essen- ly tax-payers money, the -payers and on their behalf government have every nt to know how their ney placed at the disposal of the universities is being spent The government would like to know if the fund placed with the universities is being properly utilized to promote higher studies and stimulate researches or is being frittered away. In other words, the universities have to be made accountable to the government for all their actions. The contention reminds one of the fabled story of the wolf's complaint from the upstream against the lamb that the latter was muddying water downstream to the inconvenience of the former. If like the wolf the government is trying to cook up some sort of justification however queer it may be, to swoop down on the universities it is a different matter. But the fact remains that the universities do have accountability.

The University Grants Commission (UGC), which is the product of the '73-ordinance, is accountable to parliament and through parliament to the government. The UGC works out financial requirement of the universities and presents them to the government for disbursement of the fund. The UGC maintains a strong audit team to impose strict financial discipline on the expenditure of the universities. Besides, the UGC takes care of the academic health of the universities. As a matter of fact, the University Grants Commission has been brought into being to make the universities accountable. indirectly though, to the government for all their actions, academic and financial. It is, therefore, a travesty of truth to say our universities are not accountable to the government for their actions.

Despite that if the government tries to amend, alter, repeal or replace by a new one the 73 ordinance to pave the way for its interference with the universities, it will cause an angry outburst which the administration may not be able to contain. Meanwhile, two committees—one headed by Professor Ali Ahsan and the other consisting of the members of the parliament—are reportedly working on the ordinance to recommend suitable amend ments or alterations to it. If the objectives of the possible amendment are genuinely in the interest of making the ordinance more efficacious and consistent with the requirements of our changing society, they would be welcome. But if the exercises are prompted by the ulterior motive of imposing drastic curtailment on the autonomy of the universities, it would spark off such discontent and unrest as would be difficult to quell.