

# **The Emerging Scenario in Education**

**Kapil Sibal**

*(Minister for Human Resources Development,  
Communications and Information Technology,  
Government of India)*

**The Eighth Nani A. Palkhivala  
Memorial Lecture**



Published by  
**Nani A. Palkhivala Memorial Trust**

## **NANI A. PALKHIVALA MEMORIAL TRUST**

We hardly need to introduce you to the life and work of the late Nani A. Palkhivala. He was a legend in his lifetime. An outstanding jurist, an authority on Constitutional and Taxation laws, the late Nani Palkhivala's contribution to these fields and to several others such as economics, diplomacy and philosophy, are of lasting value for the country. He was a passionate democrat and patriot, and above all, he was a great human being.

Friends and admirers of Nani Palkhivala decided to perpetuate his memory through the creation of a public charitable trust to promote and foster the causes and concerns that were close to his heart. Therefore, the Nani A. Palkhivala Memorial Trust was set up in 2004.

The main objects of the Trust are the promotion, support and advancement of the causes that Nani Palkhivala ceaselessly espoused, such as democratic institutions, personal and civil liberties and rights enshrined in the Constitution, a society governed by just, fair and equitable laws and the institutions that oversee them, the primacy of liberal economic thinking for national development and preservation of India's priceless heritage in all its aspects.

The Trust is registered under the Bombay Public Trusts Act, 1950. The Trustees are: Y.H. Malegam (Chairman), F.K. Kavarana, Bansi S. Mehta, Deepak S. Parekh, H. P. Ranina, Soli J. Sorabjee and Miss S.K. Bharucha (Member-Secretary).

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## INTRODUCTION

The Nani A. Palkhivala Memorial Trust was privileged to have Mr. Kapil Sibal, Union Minister for Human Resource Development, Communications and Information Technology, deliver the Eighth Nani A. Palkhivala Memorial Lecture on 7th February 2011 on the subject "The Emerging Scenario in Education".

In a brilliant lecture delivered extempore, Mr. Sibal propounded his vision of a complete transformation of the education scenario in the next 10 years. There can be no dissent against the basic philosophy behind this proposed transformation that every child in the country is important and that the most disadvantaged should have access to the best education or to the fact that this is essential to empower people at the bottom of the pyramid.

What does, however, leave one breathless is the breadth of Mr. Sibal's vision and the compelling logic he propounds in support of it. Within the course of the next 10 years, his goal is to ensure that against the 12.4% of persons between the ages of 18 to 24 who currently attend college, 30% will do so and that during this period, 50,000 additional colleges and 1000 additional universities will be added.

Mr. Sibal's vision is not confined merely to the increase in numbers. More importantly he expresses his concern about the quality of education and gives far-reaching and innovative suggestions for improving that quality. These include the replacement in the schools of the system of examinations by a continuous and comprehensive evaluation system; democracy in the class-room, that is greater freedom to students to develop in the areas of their interest ; interconnectivity between colleges so that students in one college can access lectures in another college; the greatly increased emphasis on research and many more.

In making these proposals, Mr. Sibal has recognised the widely prevalent malpractices in our educational system. While he proposes to remove these by opening up the education system to the private sector, he also proposes to have a fair and

transparent system of accreditation based on quality. Nor does he forget the need for vocational training for the vast numbers who may not reach college.

Mr. Sibal's vision and proposals reflect the characteristics of his personality; his informed and reasoned approach to issues and his drive and passionate pursuit of the causes in which he believes. His goals are unexceptionable and will be supported by all. Even if he is able to achieve only a significant part of his very ambitious targets, it will still be a major achievement in the field of education. However, there is devil in the detail and conflicting views have been expressed on some of the provisions of the various legislative steps which have been proposed to implement these goals.

In this lecture Mr. Sibal has given a clear and reasoned exposition of the compulsions which are behind the legislative measures which he has proposed. This should contribute to an informed and constructive debate on the subject. The Trustees of the Nani A. Palkhivala Memorial Trust have therefore great pleasure in publishing this important lecture and giving it the widest circulation.

Mumbai,  
26<sup>th</sup> April 2011.

Y. H. Malegam  
*Chairman*  
*Nani A. Palkhivala Memorial Trust*



***NANI A. PALKHIVALA***

*16<sup>th</sup> January 1920 - 11<sup>th</sup> December 2002*





## NANI ARDESHIR PALKHIVALA

In 1972-73 the full Bench of thirteen judges of the Supreme Court of India heard with rapt attention a handsome lawyer argue for five months before them that the Constitution of India, which guaranteed fundamental freedoms to the people, was supreme, and Parliament had no power to abridge those rights. The Judges peppered him with questions. A jam-packed Court, corridors overflowing with members of the Bar and people who had come from far-away places just to hear the lawyer argue, were thrilled to hear him quote in reply, chapter and verse from the U.S., Irish, Canadian, Australian and other democratic Constitutions of the world.

Finally came the judgment in April 1973 in *Kesavananda Bharati v. State of Kerala*, popularly known as the *Fundamental Rights* case. The historic pronouncement was that though Parliament could amend the Constitution, it had no right to alter the basic structure of it.

The doyen of Indian journalists, Durga Das, congratulated the lawyer: "You have salvaged something precious from the wreck of the Constitutional structure which politicians have razed to the ground." This "something precious" - the sanctity of "the basic structure" of the Constitution - saved India from going down the totalitarian way during the dark days of the Emergency (1975-77) imposed by Mrs. Indira Gandhi.

Soon after the proclamation of the Emergency on 25th June 1975, the Government of India sought to get the judgment reversed in an atmosphere of covert terrorization of the judiciary, rigorous press censorship, and mass arrests without trial, so as to pave the way for the suspension of fundamental freedoms and establishment of a totalitarian

state. Once again, braving the rulers' wrath, this lawyer came to the defence of the nameless citizen. His six-page propositions before the Supreme Court and arguments extending over two days were so convincing, that the Bench was dissolved and the Court dropped the matter altogether. Commented a Judge: "Never before in the history of the Court has there been a performance like that. With his passionate plea for human freedoms and irrefutable logic, he convinced the Court that the earlier Kesavananda Bharati case judgment should not be reversed."

This man who saved the Indian Constitution for generations unborn, was Nani Ardeshir Palkhivala. His greatness as a lawyer is summed up in the words of Justice H.R. Khanna of the Supreme Court: "If a count were to be made of the ten topmost lawyers of the world, I have no doubt that Mr. Palkhivala's name would find a prominent mention therein". The late Prime Minister, Morarji Desai, described him to Barun Gupta, the famous journalist, as "the country's finest intellectual". Rajaji described him as, "God's gift to India".

Nani A. Palkhivala, was for four decades one of the dominant figures in India's public life. An outstanding jurist, redoubtable champion of freedom and above all a great humanist.

Born on 16th January 1920, Nani Palkhivala had a brilliant academic career. He stood first class first in both his LL.B., (1943) exams and in the Advocate (Original Side) Examination of the Bombay High Court.

Nani Palkhivala was Senior Advocate, Supreme Court of India; Professor of Law at the Government Law College, Mumbai; Tagore Professor of Law at the Calcutta University; and a Member of the First and Second Law Commissions. He was elected in 1975 an Honorary Member of the Academy of

Political Science, New York, in recognition of his “outstanding public service and distinguished contribution to the advancement of political science.”

Nani Palkhivala argued a number of historical cases in the Courts of India and abroad, including the cases between India and Pakistan before the U.N. Special Tribunal in Geneva and the International Court of Justice at the Hague.

He authored a number of books including *The Law and Practice of Income-Tax*, a monumental work, which is the definitive treatise on the subject. His other books included *Taxation in India*, published by the Harvard University in the World Tax Series; *The Highest Taxed Nation in the World*; *Our Constitution Defaced and Defiled*; *India's Priceless Heritage*; *We, the People and We, the Nation*.

His expositions on the Union Budget in Mumbai and other places were immensely popular and attracted attendance in excess of 1,00,000. He eloquently espoused the cause for a more rational and equitable tax regime.

Nani Palkhivala was India's Ambassador to the U.S.A. from 1977 to 1979. He was in constant demand during this period and delivered more than 170 speeches in different cities, which included speeches in more than 50 Universities, on subjects as varied as Gandhi, the nuclear issue, human rights, India's foreign policy, civil liberties in India, Indian agriculture, apartheid and the Third World.

Two American Universities – Lawrence University, Wisconsin and Princeton University, New Jersey - bestowed honorary doctorates on him. Princeton was the first to do so on 6<sup>th</sup> June 1978. The citation reads:

*“Defender of constitutional liberties, champion of human rights, he has courageously advanced his conviction that expediency in the name of progress, when at the cost of freedom, is no progress at all, but retrogression. Lawyer,*

*teacher, author and economic developer, he brings to us as Ambassador of India intelligent good humor, experience, and vision for international understanding. As we see the bonds of trust and respect grow between our two countries, Princeton takes pride in now having one of its own both in New Delhi and in Washington.”*

*Lawrence University honoured him with a doctorate of Laws on 28<sup>th</sup> March 1979. The citation said:*

*“What is human dignity? What rights are fundamental to an open society? What are the limits to political power? Ambassador Palkhivala, you, more than most, have pondered these great questions, and through your achievements have answered them.*

*As India’s leading author, scholar, teacher and practitioner of constitutional law, you have defended the individual, be he prince or pauper, against the state; you have championed free speech and an unfettered press; you have protected the autonomy of the religious and educational institutions of the minorities; you have fought for the preservation of independent social organizations and multiple centres of civic power.*

*As past president of the Forum of Free Enterprise and as an industrialist, you have battled stifling economic controls and bureaucratic red tape. You have always believed that even in a poor and developing country, the need for bread is fully compatible with the existence of liberty...*

*You are also an enlightened patriot and nationalist. You have successfully defended your country’s cause in international disputes before the special tribunal of the United Nations and the World Court at the Hague.*

*Never more did you live your principles than during the recent 19 month ordeal which India went through in what was called*

*'The Emergency'. When those who had eaten of the insane root, swollen with the pride of absolute political power, threw down the gauntlet, you did not bow or flinch. Under the shadow of near tyranny, at great risk and some cost, you raised the torch of freedom..."*

In 1997 Nani Palkhivala was conferred the Dadabhai Naoroji Memorial Award for advancing the interests of India by his contribution towards public education in economic affairs and Constitutional law. In 1998 he was honoured by the Government of India with PADMA VIBHUSHAN. The Mumbai University conferred upon him an honorary Degree of Doctor of Laws (LL.D.) in 1998.

Nani Palkhivala was associated with the Tata group for about four decades. He was Chairman of Tata Consultancy Services, Tata International Ltd., Tata Infotech Ltd., the A.C.C. Ltd., and Director of Tata Sons Ltd. He was President of Forum of Free Enterprise from 1968 till 2000, and Chairman of the A. D. Shroff Memorial Trust from 1967 till his death.



## **KAPIL SIBAL**

Born into an illustrious family on 8th August 1948 Mr. Kapil Sibal obtained his Post-Graduate Degree in History from the prestigious St. Stephen's College before pursuing a Master's Degree at the Harvard Law School. He cleared the elite Civil Services Examination, but preferred a career in law. He joined the Bar in 1972 and was designated a Senior Advocate in 1983. He was the additional Solicitor General of India (1989 - 1990).

As a member of the legal profession Mr. Sibal has contributed to several landmark decisions by the Supreme Court which were considered as turning points in the course of governance of the Nation. After holding public office Mr. Sibal has suspended active practice since May 2004.

He was nominated as a member of the Governing Body of St. Stephen's College and the member of the Board of Management of the Indira Gandhi National Open University in 1993. He also was the Co-Chairman of the Indo-US Parliamentary Forum and has been a member of the Board of International Aids Vaccine Initiative (New York) since 2002. He was also nominated as a member of the Programme Board of the Bill and Melinda Gates Foundations' India Aids Initiative 2001.

He was designated Spokesperson of the Indian National Congress in 1999, 2004 and 2009.

He was appointed as the Minister of State (Independent charge) for Science & Technology and Earth Sciences in 2004 and elevated to Cabinet rank in the same Ministry in 2006. As Minister for Science & Technology, Mr. Sibal gave a new direction to the efforts of the scientific community and developed several policies for inculcating a scientific temper amongst youth and attracting talent to research in sciences. A proactive Minister, he led from the front and was the first ever Member of Parliament to have visited the icy continent of Anatarctica in February 2005, experiencing sub-zero temperatures to ascertain the hardships faced by scientists at India's base at Maitri. He was awarded the Jawaharlal Nehru Birth Centenary Award for 2004-05 by

the Indian Science Congress Association during the 92nd Indian Science Congress held in January, 2005.

He was conferred the Degree of Doctorate in Literature (Honoris Causa) at the 55th Annual Convocation of Punjab University held in February 2006. He also led the Indian Delegation to the United Nations Framework Convention on Climate Change (UNFCCC) at Bali in December 2007, personally piloting several of the complex negotiations on vital issues of climate change. He was also responsible to set up an Indian Research Station in the Arctic in July, 2008. He was inducted into the Honorary Senate at the prestigious Lindau Foundation at the 59th Meeting of the Nobel Laureates at Germany in 2009 and honoured with the prestigious Stephen P. Duggan Award for mutual understanding by New York based Institute of International Education (IIE) in September 2010.

In May, 2009, he was appointed Minister of Human Resources Development. In that capacity he has initiated several path-breaking reforms in education. The historic guarantee of the right to free and compulsory elementary education to every child became a reality under his stewardship. This enactment has the potential to unleash the latent energies of the children of India and make them productive members of society. His vision is to universalize access to quality secondary education by the year 2020. Higher education has seen a significant overhaul in its governance and regulatory structures. Seven different legislations that would articulate his government's vision, enabling India to emerge as a knowledge provider to the world economy, have been drafted. These legislations are all directed towards the goal of making quality higher education accessible to all, irrespective of paying capacities. Equality and inclusion have been at the heart of these efforts as it is his belief that education and acquisition of skills will be instrumental in alleviating poverty and want. He has been recently conferred the Economic Times Award for Excellence 2010.

He was entrusted with the additional charge of Ministry of Communications & IT, in November 2010.



# **The Emerging Scenario in Education**

**Kapil Sibal\***

I remember the day way back when Nani was arguing before the thirteen judge constitutional bench in the Supreme Court which was seeking the reversal of Keshavnand Bharati, I happened to be in court mesmerized by his forensic ability and realised what a giant he was. Nani was no ordinary man. He single handedly stood for Constitutional principles against unconstitutional means and fought the battle alone. At the end of the second day, the Chief Justice dispersed the bench. The rest is history.

For me to remember such a man at the Eighth Memorial Lecture is indeed a great honour. I have also had the great privilege to be with Nani in several matters in court and, in particular, the river water dispute between Haryana and Punjab where he, at my request, led me for the State of Haryana. He single handedly interpreted the references in such a manner that it has till date not been implemented. This was the extent of his forensic ability.

Nani, apart from being a giant of an intellect, was also a wonderful human being. He had qualities of both head and

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*\* The author is Minister for HRD, Communications and IT, Govt. of India. The text is based on the 8th Nani A. Palkhivala Memorial Lecture delivered in Mumbai on 7th February 2011.*

heart and the way he spoke to you no matter how high a dignitary you might be, he spoke from his heart honestly, directly and never held back the truth. It is time that in India, leadership does that; it is time for the political establishment to set the facts out so that people are informed and through that process a dialogue starts between Government and civil society. Together, we then can face the challenges of today and come up with solutions for tomorrow.

Today, I hope to start a dialogue with you on the emerging scenario in education. Let me give you some facts before we start this dialogue.

The facts are these. We are about 1.2 billion people and of those 1.2 billion people, 220 million children go to school. To put things in perspective, 220 million children are two-thirds the population of the United States of America and almost half the population of Europe. In India, that is the number of children who go to school. But of the 220 million children who go to school, only 13 million reach college. This is a frightening scenario. How can a nation move forward when of the 220 million children who go to school only 13 million reach college? The reason why I say this to you is because the wealth of a nation does not depend on the physical assets of the nation. It does not depend on factories and bank balances or multinational corporations. It depends on the intellectual capital of a nation. The wealth of a nation is created by that intellectual capital and that intellectual capital finds its germplasm in the university system.

If you don't have a critical mass of people moving into the university system you will never be able to create national wealth.

Now let me give you the difference between India and Europe and India and the United States of America.

The first point of difference is evidenced by the Gross Enrollment Ratio (GER), which is the number of children between the age group 18 to 24 who go to college. The GER in the developed world is anywhere between 50 per cent to 70 per cent. That means for every 100 children, in the age group of 18 to 24, 50 to 70 go to college. In stark contrast, the GER in India is 12.4 per cent

This is the real difference between the developed and the developing world. The gap between the developed and developing countries is not on account of the national highways of Europe or the autobahns of Germany. Nor is it the result of the scale of their factories or the export figures or the GDP growth.

The root cause of this gap is the wide chasm in education between the developed and the developing world. This needs to be addressed.

Let me share with you another fact that might surprise you.

In the ultimate analysis I firmly believe, national wealth grows in the university system. This wealth grows through research. Research creates IPR, intellectual property. Successful IPR is translated into goods and services that then become the foundation of trade and finally generates national wealth. Therefore, it is very important to figure out what is the extent of research and technology within the university system in any country.

Let us look at some numbers. For every million people in the Western world, the number of people doing research is anywhere between 4700 and 7000. The figure is close to 7000 in the Scandinavian countries. In America it is around 5000. In India the figure is 156. What does that tell you? That tells you that it is time that India started investing in knowledge because that is the only way to create wealth.

Wealth needs to be understood along with the concept of empowerment. The word "power" is very important there because it tells you that it is an unequal commodity in any society. People are powerful because they have wealth. They are powerful because they have access to schools, to universities and access to all the resources.

Those who are marginalized, those who are disadvantaged, have no access to power and therefore they are not empowered. We need to empower people and Nani used to say that the best way to empower people is through education.

How do you bring about that empowerment? Our Prime Minister Dr. Manmohan Singh said the other day that we need to give access to people at the bottom of the pyramid and we need to ensure that there is investment in research and technology at the top of the pyramid. The Right to Education Act, 2009, takes care of the bottom of the pyramid. The reason why it was important for us to pass this legislation is because we wanted to get that critical mass of people into the university system. If I can ensure through the Right to Education Act that all the marginalized children in the country, from the schedule caste/ tribes, members of the minorities, especially the Muslim minorities; children in the North East, tribals residing in the central and other regions of our country, if we can get all these disadvantaged groups into the school system, and we ensure in the years to come that the rate of retention of the children as they move through school is a hundred percent, we would have created a critical mass of people in the age group of 18 to 24 who will go to college. This is the rationale and philosophy behind the Right to Education Act.

It needs to be understood that this vision is not something that the Central Government can enforce overnight. The

Right to Education Act (RTE), 2009 came into effect on April 1, 2010. But under the Act itself we are giving ourselves three years for implementation. We have set a timeline of five years for teachers to acquire minimum qualifications to be able to teach in schools.

Implementing this vision needs the cooperation of civil society. In fact, we need the cooperation of all the key players in the system, This includes the State Government, the Municipalities, the school management, the NGOs, the teachers, the parents, and most importantly the buy in from the children. It would be wrong to think that the Central Government on its own can drive this movement and achieve the goal that we want to achieve. This is a national priority and it requires a national effort.

People in this country need to realize the significance of RTE as a national endeavour. At present, I do not think even the political establishment realizes the importance of this national endeavour. There can be no politics in this because we are talking about our children. We are talking about the future of India. So there should be no political debate. You can have a political debate as to how to reach the goal but to educate our children is a goal in itself.

But more needs to be done to the system of education than just getting children to schools. We need to understand that merely sending children to school does not create intellectual property. That is not enough.

We need to change the way we teach our children. We need to change the relationship between the teacher and the student. We need to change the way the student reacts to the teacher. We need to change our discourse in education.

For the last sixty years we have been foisting text books on our children so that their vision is restricted by the four corners

of the class room. It is important to understand the difference between education and study.

You study text books but they do not necessarily educate you. You get educated when you relate what you read to the world outside the four walls of the class room, which is what Gandhiji talked about. Your knowledge must be related to the problems of tomorrow so that you can, through the investment in the child, seek the solutions for tomorrow.

The teacher is no longer the repository of knowledge. Children today have access to knowledge from sources beyond the teacher. And therefore the teacher needs to be a collaborator through this journey of the child as the child grows and moves from one class to the other. And that requires a different approach.

Each child, I believe and I am passionate about that, has a genius in him or her and the role of the teacher is to allow that genius to mushroom. One of the ways to do this, is not to have end- semester exams or end of a year Board exams that test, mainly the memory of the child.

What you need is a continuous and comprehensive evaluation of the attributes of the child. One child may be interested in mathematics, the other may be interested in music. One child might want an art form, which he wishes to develop, another child may be immersed in literature.

Democracy in the political sense is about the choice to elect your own people. But real democracy, I believe, is freedom in the class room. Democracy is not about politics. It is about freedom in the class room. That's the way India will move forward.

So we have brought about through the Right to Education Act, a process of continuous and comprehensive evaluation.

Under this, the teacher evaluates the child comprehensively and continuously. The evaluation process is designed to be comprehensive.

This recognizes that the attributes of the child are multifarious and the teacher needs to evaluate those attributes. Unlike the memory based system of year-end examinations, this process evaluates the children's ability to learn; his/ her ability to concentrate, as also, his or her ability in the context of their interests; sensitive to what the child wants to do.

It assesses whether the child has capacities to communicate. The new evaluation process under RTE also attempts to capture what are the child's thought processes. Most important, it puts into place a framework so that the teacher can help the child realize his/ her real potential.

Unfortunately, we talk about education in the context of management most of the time. We talk about administration; we talk about teachers; we talk about salaries of teachers. But education is none of this.

Education is about children. And it is time that education policies of our Government are based on what the children of our country want. It should not be based on what administrations, State or Central Government, desire. This spells out the heart of the matter. This is the rationale behind the Right to Education Act.

An important component of the RTE is a provision by which 25 per cent children from the disadvantaged community must be admitted to private schools. Why did I have this stipulation? It is because I think that will empower the children. Access to the best education should be made available to the most disadvantaged. I know that there are private interests involved and I know that this wind will face storms but the

wind has the capacity to destroy those storms as long as we are together and as long as we know what is in our national interest.

Well having looked at issues related to primary education, let us move on to college and higher education.

There is a revolution happening in the world outside. You cannot even imagine how education will be as a way of learning in the twenty-first century. The mouse was discovered in 1964 and see how it has changed the way we learn things and communicate with each other. And what is going to happen in the next ten to fifteen years?

Let me give you a little insight into it so that we know what the challenges are and what are the emerging scenarios.

At the moment, there is a movement around the world dealing with connectivity. The world is truly becoming a global village. But I dare say in the times to come, in the field of education, it will be a global enterprise.

In the next two to three years India will be connecting every university, every college in India. We have 26,000 colleges and about 800 universities. All of these will be connected through fiber optics. This implies that there will be a free flow of information and most of that information will be open source. So a child in one college, if he/she likes, can access a lecture or lecturer in another university, and earn credits for it.

I go back to the issue of choice. The more choice we give our children, the more freedom and flexibility they have in choosing their courses, the more we will empower them. Why should a child not do mathematics and music together? There is a lot of mathematics in music. And for some, mathematics is music. So why should children not have both? Why should



a child not study physics and literature? You know Nani, essentially was a man of literature and which is why he was uniquely sensitive. He could keep you spell bound by his knowledge of literature. Why cannot literature and mathematics go together? They can. But we need to change our mindset to understand that. And so the world of knowledge will be compressed and people around the world will have access to knowledge like never before.

When I talked about fiber optics, I talked about the delivery systems of knowledge. But the knowledge has to be created. Those courses have to be created. The content of courses has to be created.

The enormous work that we have to do now is to ensure that the content to the knowledge, national knowledge network, reaches every child so that they can access that.

Today knowledge is created at the cross sections of disciplines. What do I mean when I say that? If you go to a hospital or you go to a university teaching medicine, you will find there are people who are mathematicians and biologists working today; bio-scientists, people specializing in physics and biology, working together. And the reason is simple, because in many of the cutting edge solutions of today, we need the multi-disciplinary approach.

That again brings us to the element of choice in education. How do you have a multi-disciplinary approach if you cannot allow the child to choose whatever subject he or she wants to choose? Which means you must have a system in India where the university allows the flexibility to the student. That flexibility will only come about if we change our administrative structures.

I am sorry to say that a large number of politicians own educational institutions. And this is standing in the way of

reform. But this is a national battle. We have to fight it. And the only way to fight it is to ensure that there is an element of uniformity in quality within our educational systems. Why do you think I have been talking day in and day out about the semester system being embraced by every university in this country? The reason why I want the semester system to be embraced is because that will allow flexibility. If one university does not have a semester system and it is an annual exam at the end of three years or at the end of one year, then you cannot have the flexibility, you cannot earn the credits. And in the absence of that flexibility you will not have that element of choice, which is necessary for education.

To put in place the National knowledge network and allow data to flow through that network to the students, it is imperative that adequate administrative systems at the State level are put in place. The State Governments have an enormous responsibility to change their administrative structures so that we can actually allow that information and data to flow freely to the student, enabling him to access whatever he wants and discard what he doesn't.

Now let me go back to the numbers that I gave you. Earlier, I told you that 13 million children go to college in India which gives us a gross enrollment ratio of just 12.4 per cent. I aim to increase this to 30 per cent by 2020.

Out of India's population of around 1.2 billion people, there are 220 million children between the age group of 18-24. If 30 per cent of them actually go to college, I will have a critical mass of our population actually creating the intellectual property that will breed national wealth. This is my firm belief. So we have made a commitment that by 2020 we shall ensure that the Growth Enrollment Ratio moves from 12.4 per cent to 30 per cent.

If this happens by 2020, the number of children going to college and university will increase from 13 to 45 million. But this puts a lot of demand on the facilities that are required to meet that increasing demand.

That means that if 26,000 colleges serve 13 million children, you can imagine how many colleges will have to be built to serve 45 million. That means in the next ten years, we need another 50,000 colleges. If 800 universities serve 13 million children then how many universities will we need in the next ten years to serve the balance 32 million? We will need more than 1000 universities.

So if I need another forty, fifty thousand colleges and I need a thousand universities for the next ten years, what should I do to the education system to allow that to happen? That is the philosophy behind the reforms in the Higher Education. Because I know that when there will be a proliferation of colleges and universities, there will be large number of disputes.

There is therefore a need for a redressal system. In anticipation of this we have enacted the Educational Tribunals Bill and the Bill to Prohibit and Punish Educational Malpractices.

You may be familiar with certain educational malpractices in the institutions. At least I am familiar with reported malpractices. The primary reason for this problem in India is the typical demand and supply mismatch in educational institutions that Nani talked about in the context of our economy. And Nani's words proved right. We decontrolled the system after 1991 and are now witnessing a new India. You couldn't have imagined the India of today if we thought of India prior to 1991. Nani was talking about this vision of India all the time.

This is what we want to do with education. We want to open up the system and bridge the problem of demand and supply. Therefore, we need to ensure that there is enough investment that goes into education. We need to ensure that there are enough number of good institutions for children to opt for. This will ensure that children do not have to pay the kind of capitation fee they are paying currently. The reason and the rationale for the capitation fee is that there are very few good institutions. Everybody's parents want admission into these institutions. Educational institutions take advantage of this mismatch between demand and supply. So we need to expand this sector. Allow the private sector to come in because no Government can set up 1000 universities and 50,000 colleges. We neither have the finances nor do we have the administrative wherewithal.

But we also want to make sure that we move away from the 'licence raj'. In the current system people inspect institutions and declare them fit/ unfit institutions. We must move away from this inspection raj. And so under the Education Malpractices Bill, I have a system under which we are not going to inspect any educational institution. At the beginning of the academic year, the educational institution has to place in the public domain, on their website details of its infrastructure, what is the fees they are going to charge, what is the faculty it has. (There are instances where institutions rent faculty. During inspection institutions would rent faculty from somewhere else and show it as permanent faculty). Under the new proposal the institutions have to disclose comprehensive details on its website. It discloses faculty, infrastructure, fees and the services that it has on its website.

The institution has to disclose everything about itself on its website. This pool of information is then housed in the Ministry of Human Resources Development. If and when

we find that any fact in that website is wrong, we shall prosecute. No inspection raj. So it depends on the institution. If it wants to tell the truth and save itself from prosecution, it must disclose all the facts. And we are going to make capitation fee, a cognizable offence. That is the second legislation.

Along with the Educational Tribunals Bill and the Bill to Prohibit Educational Malpractices, the third legislation that will be put in place to monitor the system of Higher Education is the Bill on Mandatory Accreditation.

This deals with quality because education is not just about reading and writing, it is, about quality. And quality impacts on national wealth and therefore under the Accreditation Bill every educational institution has to be mandatorily accredited. It is quality that has to be ensured. At the moment, seeking accreditation is voluntary. Once the Act comes into force then there will be separate agencies for accreditation that will accredit institutions for quality.

This will allow children to know which institution they are getting admission into, what is the quality of that institution, and all the facts about that institution. Ultimately, I want a situation in which my child sitting at home through his computer can access every institution, can actually walk through every institution. It is easy through technology. All we need to do is combine aerial photography with satellite imagery and software. I can make you walk through an institution, so that the child can choose where he wants to be. That's the kind of future that you have in the field of education.

And then the next legislative move is the Foreign Education Provider's Bill. The reason why we want the Foreign Education Provider's Bill is that willy-nilly education is not

about living in silos. It's about collaboration. It is about expanding your mind.

One day Nani was arguing a case in the Supreme Court. He was talking about education and he said "steel plants produce steel". This was a newsprint case. He said, steel plants produce steel but newsprint produces ideas, and therefore he defended the freedom of newsprint because it is directly related to freedom of speech. This argument is very important and it is what prompts our Foreign Education Provider's Bill. With the support of appropriate science and technology, we aim to give access and allow foreign institutions to invest in India. Remember I gave you the figure of 45 million but you know I forgot about the balance from the estimated 220 million children in India. If 45 million reach university, what happens to the balance? We need to think about them as well.

Not all of them go to university, or become doctors and engineers. Neither all of them will get doctorates or opt for post doctoral research. These are children who want a job. A child on completing class 12 may not want to go to university, but may want a job.

How do you make your education system such that the child can have access to a job? What are we going to do for these children? Do we have an answer to their situation?

The National Vocational Qualification Framework, proposed to be announced by May 2011, is an answer I have for this situation. We are going to offer vocational courses from class IX, X, XI and XII. Now what does 'vocational' include? To name a few prominent vocational courses that are thrust areas for our economy: Hospitality, Para legal, para medics, lab assistants, music (which I consider as a vocation), tourism, simple electrician, mechanics and several such hands-on,

skill oriented courses. In fact, we have started planning for structuring these courses with the help of industry. I have initiated a dialogue with industry because these courses can be made meaningful only with their collaboration.

I had a meeting with the automobile sector the other day. And I discussed the proposal, to introduce, automobile engineering in the school CBSE system. I also called all State Chief Ministers and explained this proposal to them. They are very happy about it and they want to move forward with its implementation. We had a three to four hours long meeting with the automobile sector. We realized that there are about 150 vocational courses that can be taught just in the automobile sector. Automobile technology is moving to electronics now. Previously it was mechanical engineers who would deal with automobiles. In the technologies of tomorrow everything will be telemetric. The industry will need electronic engineers. We need to see where the industry is moving and how to ensure that the education system actually relates itself to the industry. This will ensure that industry gets the people they want.

Similarly, other than automobiles, we are going to prepare diverse vocational training courses in various fields.

We had a talk with the telecom sector. And there are about hundred potential vocational training courses appropriate for this sector.

We proposed a meeting with the construction sector. The Prime Minister said recently, that one trillion dollars would be invested in the construction sector in the next five years. You can imagine the kind of expertise that will be required by the construction sector in the years to come. The education system must be geared to make that expertise ready.

This is my vision for the children who opt out of the university track of higher education and want jobs instead.

Some of the courses have already started. For example for the city of Mumbai, Bollywood is a great place to begin executing this vision. Hence, I called Mr. Subhash Ghai and had a dialogue with him. The outcome of which are courses in animation, which are now offered in about 26 to 29 schools in this country. A lot of people in Bollywood need young children who know about animation. And it is like playing with computers which young children are adept at. We have started such courses so that children, who do not want to go in for formal higher education can be endowed with skills to be directly employed by Bollywood. While in a limited way such options do exist at present, what is unique of my vision is that children will have flexibility to change tracks as they go on in life. For example, a student completing vocational education may after a few years want to re-enter academic life.

So if he wants to do a doctorate/ go for higher studies we are going to have systems in place by which he can move from school to polytechnic and from polytechnic to university if he so wants, so that he can get additional credit. Supposing a person getting a CBSE academic degree wants to do vocational course, he will do an additional 'X' number of hours in a particular vocation and can move to vocational and if he wants to come back to academics, within the university system he should have the flexibility to do so.

This is what we are going to do, to take care of the balance children, who are not opting for higher education immediately on completing their school/ XII grade. We envisage that most of the investment by the Foreign Education Providers will come in such skill development.



If you look at the world in 2050 what is the scenario? The scenario is that India by 2050 will be the most populated country in the world. That is frightening but that is the reality. There is a demographic decline in almost all of Europe, Japan, Australia and Canada. Do you know that Quebec has recently passed a law that anybody who comes to do post graduation in Quebec can get citizenship? It's economics. They don't have the workforce. We have the workforce and we can supply that workforce not just for our own national needs but supply it for the global community as well. Therefore this is a great opportunity for us. Foreign investors are interested in investing in vocational education in India because they are very keen to get the workforce that they don't have. I know for a fact that lot of foreign universities want to come to India and are already collaborating with Indian universities. We benefit from such collaboration by getting access to best global practices and this will improve the quality of our own university system.

This is the global scenario in which we live. In this scenario, in the ultimate analysis, we as a nation have to move forward. This I reiterate, cannot happen unless we invest in knowledge. This is the philosophy of the UPA Government in the field of education. In the heart of this philosophy is the belief that every child in this country is important.

I remember when Nani was a young child and he had a bowl of almonds, and his father told him, don't forget the orphan next door. He, in his generosity, gave the entire bowl to the orphan. It is time for us to have the bowl of almonds to give it to those who don't have it. Education is the only way forward.

*The Eighth Nani A. Palkhivala Memorial Lecture  
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## **NANI A. PALKHIVALA MEMORIAL LECTURES**

<b>Date</b>	<b>Subject</b>	<b>Speaker</b>
16.1.2004	Quest for Justice	Fali S. Nariman
12.1.2005	Prerequisites of Freedom	Arun Shourie
16.1.2006	Separation of Powers: The Myth & the Reality	Dr. Bimal Jalan
15.1.2007	Making Globalization work for India	N. R. Narayana Murthy
11.1.2008	Judicial Activism - Boon or Bane?	Soli J. Sorabjee
5.10.2009	The Emerging Challenges to Civil Society	P. Chidambaram
14.01.2010	From Sampurna Swaraj to Sampurna Azadi: The Unfinished Agenda	Prof. C. K. Prahalad

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