

States vs Centre on VC selection

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In news- Tamil Nadu has passed two Bills proposing to take away the Governor's powers to appoint VCs of state universities.

Key features of the two bills-

The Chief Minister of Tamil Nadu has said that the Bills were required as the Governor was disregarding the state government's opinion on the appointments of VCs, an argument also made by states such as Maharashtra and West Bengal in the past.

- The Bills passed in Tamil Nadu stress that **“every appointment of the Vice-Chancellor shall be made by the Government from out of a panel of three names” recommended by a search-cum-selection committee.**
- Currently, the Governor, in his capacity as the Chancellor of state universities, has the power to pick a VC from the shortlisted names.
- The Bills also seek to empower the state government to have the final word on the removal of VCs, if needed.
- As per these bills, removal will be carried out based on inquiries by a retired High Court judge or a bureaucrat who has served at least as a Chief Secretary.
- The Bills cited the Gujarat University Act, 1949, and the Telangana Universities Act, 1991, as laws that allow state governments to appoint V-Cs.
- It also referred to the Karnataka State Universities Act, 2000, where the V-Cs are appointed by the Chancellor with the state government's concurrence.

Similar moves in other states-

- The rules guiding the appointments of VCs across states reveal wide variations, leaving the field open for dispute.
- **In December, the Maharashtra Assembly passed a Bill amending the Maharashtra Public Universities Act, 2016.** As per the amendment, the governor needs the panel's suggestions while appointing VCs.
- In 2019, the **West Bengal government**, led by the Trinamool Congress, took away the Governor's authority in appointing VCs to state universities. It has also hinted at removing the Governor as the Chancellor of the universities.
- In **state Kerala**, the Governor alleged that the appointment of the Vice-Chancellor of Kannur University was done against his wishes.
- The **BJD government in Odisha** has also tried to bring appointments to state universities under its control. But it has been challenged by the University Grants Commission (UGC).
- In Karnataka, Jharkhand and Rajasthan, state laws underline the need for concurrence between the state and the Governor.
- The terms "concurrence" or "consultation" are absent from state legislation in most cases.

Education as Concurrent subject & UGCs role-

- Education comes under the **Concurrent List**, but entry 66 of the Union List – "coordination and determination of standards in institutions for higher education or research and scientific and technical institutions" – gives the Centre substantial authority over higher education.
- The UGC plays that standard-setting role, even in the case of appointments in universities and colleges.
- According to the **UGC Regulations, 2018, the "Visitor/Chancellor" , mostly the Governor in states,**

shall appoint the VC out of the panel of names recommended by search-cum-selection committees.

- Higher educational institutions, particularly those that get UGC funds, are mandated to follow its regulations.
- These are usually followed without friction in the case of central universities, but are sometimes resisted by the states in the case of state universities.