ABSTRACT: India has achieved significant increase in enrolment to higher education over the last decade. However, there is serious dissonance in terms of relative access by different sections of its population. There is a valid perception that discriminatory practices often impinge compromise on quality. This paper argues that it is possible to ensure excellence while providing improved access to students from SC/ST through a policy of reservation. The paper brings out a unique experiment in Kalinga Institute of Social Sciences (KISS), Odisha where there is remarkable convergence between all-round excellence through empathetic intervention. Concrete measures like vibrant Public Private Partnership (PPP), increased allocation, inflow of Foreign Direct Investment (FDI) by collaborating with reputed foreign universities and use of ICT and Open Distance Learning (ODL) & above all a more sensitive regulatory agency can be powerful recipes for achieving the goals of higher inclusive growth, Improved Human Development Index (HDI) and higher Gross Enrolment Ratio (GER) (25%) in higher education.

KEYWORDS: FDI, ODL, GER, ICT, HDI, Affirmative Action, KISS Odisha

INTRODUCTION

India ranks 135th out of 187 countries in terms of Human Development Index (HDI) with a score of 0.582 as per the latest Human Development Report (HDR) 2014. In terms of Mean Years of Schooling (MYS) India has score of only 4.4 (2012) as against around 11 to 12 years for most of the developed countries and Emerging Market Economies like Korea. What is further disconcerting is that the Gross Enrolment Ratio (GER) in Higher Education is around 17% as against 75% in Russia and around 95% in USA. This is despite the significant contribution made by the private sector for providing impetus to technical education since 2000; increasing GER from about 10% (2000) to around 16.7% now. The 12th plan aims at GER of 25% by 2017 while buttonholing Equity, Access and Excellence as the three leitmotifs for achieving Higher Inclusive Growth.

The paper tries to analyze –

- Constitutional Provisions, Court Rulings on Equity and Positive Discrimination
- Impact of various initiatives on Access, Equity and Excellence
- Unique experiment in KISS Odisha towards convergence between equity and excellence
- Suggestions for policy re-orientation to bolster inclusive growth

Constitutional Provisions, Court Rulings on Equity and Positive Discrimination

The Constitution mandates Equality before Law within the territory of India (Art 14) and Equality of Opportunity in matters of public employment. It forbids discrimination on grounds of religion, race, cast, sex and place of birth (Article 16). Right to Education, Art 21(A) is a
landmark additions to our Constitution vides 86th Amendment (2002) which guarantees “free and compulsory education to all children of the age of 6 to 14 years”. The founding fathers, noting the historic injustice to backward communities like SC & ST in terms of economic deprivation, provided reservations in appointments and posts for SC & ST (Art 16(4)). The scope was further amplified in vide the 77th Amendment Act (1995) and 85th Amendment Act (2001) by inserting Art 16(4A) and 16(4B) which provides for reservation in matters of promotion also.

The affirmative action by the government find further reflection in Art 335 where for bolstering the claims of ST & ST to posts, relaxation in qualifying marks in an examination has been permitted vide 82nd amendment of the Constitution. The Supreme Court of India has viewed such discriminatory policy in terms of promotion as not violative of Art 14 of the Constitution in M. Nagraj Vs. Union of India Case (2006), over-ruling the earlier judgment in Indira Sawney Vs. UOI (1993). The Directive Principle of State Policy vide Art 46 enjoins upon the state to “promote with special care educational and economic interest of the weaker sections of the society”. It would be interesting to contrast the position in USA where there is no constitutional support for positive discrimination for deprived sections of society like the Blacks and the Hispanics. Though the Civil Rights Act 1964 aims at rooting out negative discrimination, US judges increasingly un-favour affirmative action.

**Positive Discrimination**

“A constitution may indicate the direction in which we are to move; but the social structure will decide how far we are able to move and at what pace” said Andre Beitelle. As would be seen from the foregoing, the pace at which different disadvantaged section are having access to higher education leave a lot to be desired. This is despite the myriad affirmative action and positive discrimination towards SC/ST & OBCs.

Incidentally a study of social inclusion of African American students reveal that the US constitution does not provide for positive discrimination for disadvantaged sections. The Judges also shown upon such initiatives. The impact analysis shows the following picture.

**Table-1: Social inclusion in higher education: USA**

- African American students, though admitted with lower quantitative entry are able to complete higher education satisfactorily.
- Greater racial diversity does not improve learning process but improves quality and quantity of interracial interactions.
- However, a few African students of selective college do well in higher education.

*Source: Article by Thomas E Weisskopf on in Economic and Political Weekly Dec. 22, 2001*

The above findings are also true substantially in case of India. Studies have shown that only the creamy layers amongst the SC & ST have benefitted dispropersonately from the positive discrimination policy of the government.

**IMPACT OF VARIOUS INITIATIVES ON ACCESS, EQUITY AND EXCELLENCE**

**Impact on Equity**

It would be interesting to analyze how increase in access to higher education and improvement in GER from 10% (2000) to 16.7% (2013) has impacted different sections of the society & promoted our march towards an egalitarian society.
Table 2: Impact of Access to Education on Different Sections of Society

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SC</td>
<td>5.1</td>
<td>11.6</td>
<td>16</td>
</tr>
<tr>
<td>ST</td>
<td>6.4</td>
<td>7.7</td>
<td>7</td>
</tr>
<tr>
<td>MUSLIM</td>
<td>-</td>
<td>9.6</td>
<td>13</td>
</tr>
<tr>
<td>OBC</td>
<td>7.1</td>
<td>14.8</td>
<td>27</td>
</tr>
<tr>
<td>National Average</td>
<td>10.1</td>
<td>17.2</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: National Sample Survey Organization Data, 2006

It would thus be seen from the above that while there has been considerable improvement in access to education; the SC, ST & Muslims do not have access to higher education commensurate with their population share. The OBCs are likely to improve their share with 27% reservation for them; thanks to the Mandal Commission. However, the Muslims, seem to be significantly lagging behind in terms of their representation in higher education despite implementation of Maulana Azad Fellowship Scheme and increase of the MAEF corpus to Rs.910 Crore during 13-14 as a follow-up to the Sachchar Committee Report (2006).

Interestingly different regions of India present a different picture in terms of access to higher education. Southern States lead the pack; while apathy rules the roost in Central and North-Central India as the following table would reveal.

Table 3: Access to higher education: inter region

<table>
<thead>
<tr>
<th>Region</th>
<th>SC/STs</th>
<th>Muslims</th>
<th>Hindus OBC</th>
<th>Hindus Upper Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>South</td>
<td>7</td>
<td>8</td>
<td>12</td>
<td>26</td>
</tr>
<tr>
<td>North</td>
<td>7</td>
<td>7</td>
<td>11</td>
<td>26</td>
</tr>
<tr>
<td>North-Central</td>
<td>4</td>
<td>3</td>
<td>6</td>
<td>20</td>
</tr>
<tr>
<td>Central</td>
<td>3</td>
<td>5</td>
<td>6</td>
<td>25</td>
</tr>
<tr>
<td>Western</td>
<td>5</td>
<td>7</td>
<td>9</td>
<td>25</td>
</tr>
<tr>
<td>North-Eastern</td>
<td>3</td>
<td>3</td>
<td>6</td>
<td>13</td>
</tr>
</tbody>
</table>

Source: National Sample Survey Organization Data, 2006

Impact on Quality:
The poor quality of Higher Education is a perennial lament. It is largely due shortage of well trained faculty, poor infrastructure, irrelevant curriculum, inadequate use of technology and research which is far below International standards. In order to meet the huge shortage of highly skilled workers globally, the 12th Plan reiterates the commitment of 11th plan for expansion, equity and excellence. To move up the ladder of quality India has to go beyond 3 R’s viz. Reading, Writing and Arithmetic to 4 C’s viz. Critical thinking, Communication, Collaboration and Creativity. The share of services in India’s GDP has increased for 33% in (1950-51) to 56.5% (2012-2013). Innovation and quality play an important role in ensuring significant global imprint. However, India ranks 64th in Global Innovation Index. India’s capacity for innovation has been lower than that of other BRICS countries as scores in the following table would show:
Table-4: Trends of Research & Patents Globally

<table>
<thead>
<tr>
<th>Country</th>
<th>Quality of Research Institutions</th>
<th>Industry Collaboration</th>
<th>PCT Patents Granted/(Million)</th>
</tr>
</thead>
<tbody>
<tr>
<td>USA</td>
<td>5.8</td>
<td>5.6</td>
<td>137.9</td>
</tr>
<tr>
<td>Brazil</td>
<td>4.1</td>
<td>4.1</td>
<td>2.8</td>
</tr>
<tr>
<td>South Korea</td>
<td>4.9</td>
<td>4.7</td>
<td>161.1</td>
</tr>
<tr>
<td>China</td>
<td>4.2</td>
<td>4.4</td>
<td>6.5</td>
</tr>
<tr>
<td>India</td>
<td>4.4</td>
<td>3.8</td>
<td>1.2</td>
</tr>
</tbody>
</table>

In particular, what’s disconcerting is the number of patents granted per million (1.2) in India against around 140/161 in USA and South Korea. While in terms of availability of no. of engineers and scientists India is well placed, the lack of quality in higher education and low percolation of research for commercial usage remains a major challenge.

UNIQUE EXPERIMENT IN KISS ODISHA TOWARDS CONVERGENCE BETWEEN EQUITY AND EXCELLENCE

The story of KISS was born after three decades, as if through serendipity, thanks to the un-wavering efforts of its Founder and mentor Dr. Achyuta Samanta. Home to nearly 22000 tribal students, KISS receives application from 2.2lakh applicants every year for three thousand seats reserved for tribal students in KIIT University. The institutions run with uncommon élan with a budget of around R.75 crore of which around Rs.25 crores comes through donation from staffs and officers from KIIT University and the rest is from philanthropy and financial aid. The primary objective of KISS is to provide inclusive and holistic education to the marginalized tribal students who would have been otherwise caught in the quagmire of illiteracy, impoverishment & violence.

The defining success of KISS can be summed-up as under-

- **Quality Education with a Special Focus on Girl Child Education**
KISS has been able to address many of the social and health issues like child marriage, infant mortality and maternal mortality etc. Girls in the indigenous communities are generally married off at an early age. They have little or no knowledge about their bodies and healthy sexual and reproductive practices, leading to high maternal mortality and infant mortality in these communities. Since the girls pursue education at KISS they free from the societal pressure of marrying at an early age. Secondly the girls are provided counseling and education on their sexual reproductive health and rights at KISS which enables the girls to have a better
understanding of their own bodies and healthy sexual and reproductive practices. This in turn led to reduction of maternal mortality and infant mortality among them.

- **Life Skills Education**
  KISS has been implementing ‘Life Skills Education’ institution with the support of United Nation Population Fund (UNFPA). The objective behind it is to build the capacity of the tribal adolescents so that they could deal with different issues in their lives effectively. KISS has also been implementing this programme in all the 30 districts of the state reaching out directly to 80,000 children in the age group of 10-14 years. Indirectly KISS has been reaching out to a population of 4 lakhs all over the state.

- **Hunger & Health Alleviation**
  The greatest achievement has been the ability to provide three nutritious meals each day to all 20,000 students. Indigenous communities also have lower levels of awareness on health issues which is a major reason why children are subjected to many serious diseases and illnesses such as Kwashiorkor, Marasmus, Tuberculosis, hookworm and ringworm infestation to name a few. Malnutrition and under nutrition is highly prevalent among the children in these communities. Conditions like Kwashiorkor and Marasmus arise due to vitamin and protein deficiencies in the body. KISS ensures that the diet provided is enriched with vitamins, proteins, minerals and carbohydrates.

- **Unemployment Mitigation**
  KISS has, to a certain extent, been able to address the issue of unemployment. The students at KISS have been able to find a source of livelihood after completion of their education. Many students have been placed in the public and private sector jobs and those students who have acquired degrees in medicine, engineering etc are now at par with the general population. The students are also provided with vocational trainings in different trades; the most popular being food preservation, fish cultivation, mushroom cultivation and agricultural practices. KISS in collaboration with the British Council has taken up a unique Self Employment Programme with focus on young girls, imparting them prerequisite skill-sets to establish social enterprises (food preservation) in their villages.

**International Collaboration**
Several international organizations have been collaborating active to provide early childhood development, imparting life skill education etc. Some of these pioneering initiatives are as under.

- **Bernard Van Leer Foundation**
  Kalinga Institute of Social Sciences (KISS), in collaboration with Bernard van Leer Foundation, is instituting the first Early Childhood Development Program through Mother Tongue based multilingual learning in the state within its premises. This program not only aims to improve the quality of education of children getting enrolled into KISS, but also aims to be the first Centre of Excellence on mother tongue based early childhood education in the state.
United Nations Population Fund (UNFPA)
KISS in partnership with United Nations Population Fund (UNFPA) is implementing a project on “Empowering young people with life skills through building institutional capacity, imparting life skills education and broadening research base for Adolescent Reproductive and Sexual Health (ARSH) and Life Skill Education (LSE)” for about 5000 adolescents in the institute and extend support for promotion of LSE & ARSH in the region from October 2009.

United Nations Children’s Fund (UNICEF)
UNICEF in association with KISS has established a Children Development Resource Centre (CDRC) as part of the larger UNICEF-KIIT University joint initiative for the Centre for Children Studies (CCS). The goal is to promote evidence-based policy making by building a knowledge base through action research and other development programmes on children’s issues focusing on the state of Odisha.

Excellence in Academics and Athletics: All these initiatives are reflecting in all round excellence both in the academic field and extracurricular activities.

There are nearly 4657 students having the benefit of higher education with almost 50:50 participation of boys and girls. Some of the significant academic achievements have been 97% result in +2 Science, Arts and Commerce & 100% result in Post-Graduation. Thirteen students of KISS have qualified for the Rajiv Gandhi National Fellowship for 2012-13, four Students recruited by Odisha Grameen Bank, four Students recruited by Railway recruitment Board, twenty Four Students have been recruited as teachers under the Sarba Siksha Abhiyaan Scheme of Government of Odisha and eight students were selected by TCS in Campus recruitment Drive. In terms of extracurricular activities Shri B. Barik was selected for Women Rugby World Cup and Shri L. Hembram: UN Youth Assembly at Malala.

It would thus be seen that a uniquely innovative project for mainstreaming the tribal students through education is not only ensuring not only 100% success at 10+ level, but also ensuring that some of them compete successfully in converted jobs in Banks, Railway, IT sectors. Besides, under the guidance of the School of Leadership the tribal students are receiving excellent academic exposure to achieve meaningful positions in India’s higher bureaucracy.

SUGGESTIONS FOR POLICY RE-ORIENTATION TO BOLSTER INCLUSIVE GROWTH

However, for quality up-scaling in higher education the following major areas need policy reorientation and rejuvenation

(a) Public Private Partnership: During the 12th plan an investment of one trillion dollar is proposed through a PPP route within the ratio of 50:50. While economic infrastructure is very high on government agenda the social infrastructure like education which is a vital complement to overall economic growth has been given a short shrift. The key success factors for a successful PPP agreement are shared objectives from the beginning and political will for participation of the private sector, transparency and accountability within the PPP. Sweden has regarded higher education as a ‘merit good’ and has a long tradition of substantial public spending. It has substantive relationship with the private sector which includes sharing of roles, responsibility, risks and rewards. In Germany,
public commitment to take most risks has encouraged many small private enterprises to participate in the PPP model. Such models have important lessons for India.

(b) **Delivery Mechanism & Equal Access to Loans & Scholarship:** The delivery mechanism by government agencies is leaky and often patently inept. It would be a good idea to outsource the delivery mechanism to responsible NGOs with a proper accountability structure in place. To foster increased access to deprived segments, financial aid and scholarships must be universalized and the overall allocation be substantially augmented. This will ensure that meritorious tribal students are truly financially empowered.

(c) **Merit Vs. Non Merit Good:** India is caught up in a meaningful debate on Private vs. Public Education; and whether to treat higher education as merit or non-merit good. This debate gain ground with the report of the Ambani-Birla committee which rooted for privatization of higher education and charging fees based on market forces. However it must be mentioned that even in US where most universities are private, though most of them receive significant government grants in different ways. The concept of Corporate Social Responsibility (CSR) is truly in evidence in the elite university USA like MIT, Harvard and Stanford where significant grants for research have been funded by prominent business magnates. Similar initiatives need to be taken by India’s private sector. The best entrepreneur energy have to be harnessed towards the cause of education.

**CONCLUSION**

Prof. Richard Musgrave, the high priest of public finance had said that public policy is all about the **allocational choice & distributive justice that a country chooses to embark.** The GOI has shown continuity in its commitment towards social sector programmes like MNREGA, Mid-Day-Meal Scheme, ICDS etc. In KISS, a unique financial model has been put in place where expenditure per students is really minimal Rs.99.62 per day ($1.63) (food, maintenance, salary of support staff & teacher) as against ($14) spent by students in other schools of KIIT university. Besides KISS does not receive any financial aid/support either from the State government or from the Central government. The support of international organizations like UNICEF & UNFPA & Bernard Van Leer Foundation is for life skill improvement. In the **interest of inclusive growth and assimilation of tribal students in to the mainstream with true empowerment,** there is a strong case for governmental financial support both in the form of scholarships financial loan and allocation to the major ongoing programmes in KISS.

The movement towards social inclusivity has been guaranteed through our Constitution. The last decade has witnessed significant policy in terms of financial inclusion in terms of RTE, NREGA & Right to Food. However, the asymmetry in access to education and community, social and economic empowerment in respect of the tribal community has been a distressing chapter in India’s development story. The contribution of Dr. Samanta is, therefore unique despite the heaviest of odds. Martin Luther King Jr. had said “Human progress is neither automatic nor inevitable. Dr. Samanta by establishing KISS and mentoring it with ‘genuine love’ and ‘true simplicity’, is truly carrying the legacy of Verrier Elwin forward.

**AREAS FOR FUTURE RESEARCH**
The concept of PPP is not taking route in case of higher education sector in India unlike economic infrastructure sector. There is a need for field survey to elicit the exact bottlenecks in this regard. Further how to improve funding under the aegis of CSR by the private sector would need to be carefully studied. Besides the exact impact of collaboration of foreign universities on India’s native knowledge culture and sovereignty as apprehended by some detractors of FDI is an important area of empirical research.

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