

इन्दिरा गांधी राष्ट्रीय मुक्त विश्वविद्यालय INDIRA GANDHI NATIONAL OPEN UNIVERSITY

गैवान गढ़ी, नई दिल्ली-110 068, भारत MAIDAN GARHI, NEW DELHI-110068. INDIA फोन (PHONE): 91-11-29533340 फेक्स FAX: 91-11-29536668 ई-गैल E-mail: manjalikaPignou.acin दूरस्थ शिक्षा परिषद DISTANCE EDUCATION COUNCIL

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F. No. DEC/KSOU/KAR/11 Date: 10.6.2011

Show cause Notice

The Ostance Education Council has been receiving complaints/ letters seeking clarifications in respect of Karnataka State Open University (KSOU), Mysore, Karnataka for offering programmes through distance mode. The nature of complaints received are as under:

- KSOU is offering BE/ B.Tech/ ME/ M.Tech/ Diploma in Engg and other technical/ professional programmes through distance mode
- KSOU is offering BE/ B.Tech/ ME/ M.Tech/ Diploma in Engg and other technical/ professional programmes through face to face mode through franchisee;

The Karnataka State Open University, Mysore, Karnataka is a state Open University established by an Act of State legislature of Karnataka state — KSOU Act 1996. It was seconded provisional recognition by the DEC for one academic year (2007-8). The University was accorded regular recognition by the DEC for five year w.e.f. 2008-9 to 2012-13 for differing programmes approved by the Statutory Councils of the University as per the norms of the Apex bodies. The recognition accorded by the DEC was for offering programmes through distance mode and not face to face or any other mode.

The DEC has not accorded approval to any specific programmes including BE/ B.Toch/ ME/ M.Tech/ Diploma in Engg and other technical/ professional programmes offered by KSOU. The letter No.F. DEC/OU/Recog/2008/7833, dated 8.4.2008 issued by DEC to KSOU categorical; expressed that

"... it is the responsibility of the University to follow the norms prescribed by the concerned regulatory bodies or seek their recognition for professional and technical programmes as per the requirements. Getting approval of concerned statutory spex body for refevent programmes will be the sole responsibility of the University".

it is apparent that KSOU has been offering BE/ B.Tech/ ME/ M.Tech/ Diploms in Engg and other (achnical/ professional programmes through distance/ face to face mode without the approval of the DEC or AICTE.

Based on the decision of the MHRD not to allow BE/ B.Tech programmes through distance mode, the DEC vide its letter No.DEC/I2009/2513-2729, dated 13.08.2009 informed KSOU that the DEC or Joint Committee has not accorded any approval to BE/ B.Tech programme offered by any University through distance mode and stated that any such programme offered by a University are hence illegal and are not approved by the DEC. The DEC further issued an advisory to your University to strictly adhere to the MHRD policy and it should not offer any BE/ B.Tech programmes through distance mode. Your University was also cautioned that any deviation from the policy of DEC may invite de-recognition by the DEC.

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3. K5OU is offering M.Phil. and Ph.D. programmes;

The DEC in tune with the gazette notification issued by the UGC directed all Open Universities and Directorate of Distance Education institutions of dual mode Universities not to offer M.Phil/Ph.D programmes through distance mode. Despite this the KSOU has issued notification for offering these programmes.

- 4. KSOU has franchised study centres;
- 5. KSOU is not observing the policy of DEC on territorial jurisdiction in true spirit.

As per the Act of KSOU available with the DEC, the jurisdiction of the KSOU is the State of Karnataka. In connection with the DEC policy on the territorial jurisdiction, it is pertinent to mention here that the DEC in its 28° Council meeting on 23° March 2007 decided that DEC will not insist on territorial jurisdiction to be followed by institutions in offering programmes through distance mode and on that matter Universities should be governed by their own Acts and Statutes. The Joint Committee in its 9° meeting held on 17° August 2009 decided that the State Universities (both private and govt funded) can ofter programmes only within the State and Deemed Universities from the headquarters and in no case outside the state.

Subsequently, the Distance Education Council in its 35th Meeting held on 10th March 2010 noted that the distance education and online education cannot have the Territorial jurisdiction and it was decided that in case of Central Universities and the State Universities, the Territorial Jurisdiction will be as per their Act and Statutes for offering programmes through distance mode. The Territorial Jurisdiction in case of Deemed University will be as per USC which mandates the prior approval of the USC for opening Centres! off Cempus outside the Headquartars. The above policy of the territorial jurisdiction was notified to KSOU vide letter No. F. No. DEC/2010/6960, dated 29.3.2010.

The DEC does not allow any franchising of study centres by any University. The DEC does not separately accord recognition to study centres of any University. The Study centres are opened by the University as per provisions contained in its Acts and statutes within the territorial jurisdiction as mentioned above. Thus the Study centres are necessarily to be owned/managed by the concerned University and must be opened with prior permission of the concerned statutory authority of the University in accordance with the norms and guidelines of the UGC and DEC.

The above facts confirm that the KSOU in utter violation of the policy of MHRD, UGC, AICTE and DEC has indulged in the illegal activities and issuing misleading advertisements claiming approval of DEC to offer various programmes, thus jeopardizing the career of the students by way of following:-

- KGOU has been offering Engineering programmes leading to award of BE/ B.Tech/ ME/ M.Tech/ Diploma in Engg and other technical/ professional programmes.
- 2. KSOU has been offering M.Phil/ Ph.D programmes through distance mode.
- 3. The KSOU has entered into collaboration with at least 81 collaborators referred to it as Partner Institutions. The KSOU has opened its study centres all over India and abroad, through the so called Partner agencies. The Partner agencies. Study centres of the KSOU claim to have the recognition of the DEC, which is ab-nitio incorrect and misleading. The collaborators of KSOU have further sublet the franchising to recognize other agencies including limited and private.

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limited companies and cooperative societies as the study centres of the KSOU. Yinese agencies carry out various activities including admission, conduct of face to face sessions and examinations etc. In turn KSOU is charging a fee between Rs 20.000/- and Rs 80,000/- to make them as study centre of the KSOU. The above act confirms that KSOU has franchised various activities of education which is not permissible by the DEC.

The KSOU is hereby directed:-

- To stop making admissions in the programmes not recognised by the DEC including M.Phil./ Ph.D./ BE/ B.Tach/ ME/ M.Tech/ Diploma in Engg and other technical professional programmes.
 To submit a detailed report with supporting documents on all the matters recognised above.

The compliance report of above be submitted to DEC within 15 days of issue of this notice with reserves as to why the recognition accorded by DEG to KSQU may not be withdrawn for alleged irregularities of KSQU.

The Viçe Chancellor Karnataka state open university (KSOU) Manasagangotri Mysore-570006 Karnataka