Show cause Notice

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

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

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 accorded 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. 2009-10 to 2014-15 for offering 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.Tech/ 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 categorically, 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 apex body for relevant programmes will be the sole responsibility of the University."

It is apparent that KSOU has been offering BE/ B.Tech/ ME/ M.Tech/ Diploma in Engg and other technical 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 UGC vide its letter No. UGC/2008/2913-2729, 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.

To

[Signature]

[Date: 16/06/2011]
3. KSOU is offering M.Phil. and PhD 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 PhD 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.

All MAPPAN AD of KSOU ABBAD with the UGC, 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 28th Council meeting on 25th 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 4th meeting held on 17th August 2009 decided that the State Universities (both private and govt. funded) can offer 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 16th 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 UGC which mandates the prior approval of the UGC for opening Centres off Campuses outside the Headquarters. The above policy of the territorial jurisdiction was notified to KSOU vide letter No. F.No. DEC/2010/000524 dated 29.1.2010.

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 UGC, AICTE and DEC has indulged in the illegal activities and issuing misleading advertisements claiming approval of DEC to offer various programmes, thus jeopardising the career of the students by way of following:-

1. KSOU has been offering Engineering programmes leading to award of BE/B.Tech/ M.E/ M.Tech Diploma in Engg and other technical professional programmes.

2. KSOU has been offering M.Phil PhD programmes through distance mode.

3. The KSOU has entered into collaboration with at least 17 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 absolutely incorrect and misleading. The collaborators of KSOU have further sublet the franchising to recognize other agencies including limited and private
limited companies and cooperative societies as the study centres of the KSCU. These agencies carry out various activities including admission, conduct of face to face sessions and examinations etc. In turn KSCU is charging a fee between Rs 20,000/- and Rs 80,000/- to make them as study centre of the KSCU. The above act confirms that KSCU has franchised various activities of education which is not permissible by the DEC.

The KSCU is hereby directed:-

1. To stop making admissions in the programmes not recognised by the DEC including M.Phil, PhD, BBU, B.Tech, ME, M.Tech, Diploma in Engg and other technical professional programmes.
2. To submit a detailed report with supporting documents on all the matters mentioned above.

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

The Vice Chancellor
Karnataka State Open University (KSCU)
Manasagangotri
Mysore - 570006
Karnataka