

**THE SIKKIM MANIPAL UNIVERSITY OF HEALTH, MEDICAL AND
TECHNOLOGICAL SCIENCES (AMENDMENT) BILL 2006.**

BILL No. 6 Of 2006

A

BILL

further to amend the Sikkim Manipal University of Health, Medical and Technological Sciences Act, 1995.

Be it enacted by the Legislature of Sikkim in the Fifty-seventh year of the Republic of India as follows:

Short title and

commencement 1 (1) This Act may be called the Sikkim Manipal University of Health, Medical and Technological Sciences (Amendment) Act, 2006.

(2) It shall come into force at once.

Amendment of

Section 5

2. In the Sikkim Manipal University of Health, Medical and Technological Sciences Act, 2005, in Section 5, -

(i) in clause (a), the following proviso shall be added, namely :-

“Provided that the University may offer its academic programmes through Distance Education mode and for this purpose establish and collaborate with resource centers in various parts of the country and abroad” ;

(ii) in clause (w), the following proviso shall be added, namely :-

“Provided that the University for the purpose of offering its academic programmes through Distance Education mode, may establish and maintain Study Centers/Learning Centers in various parts of the country and abroad”.

STATEMENT OF OBJECTS AND REASONS

1. The Sikkim Manipal University (SMU) is a creature of an Act of the Sikkim Legislature, namely, the Sikkim Manipal University of Health, Medical and Technological Sciences Act, 1995.

2. Sikkim Manipal University has established two constituent colleges: one engineering college, namely, Sikkim Manipal Institute of Technology (SMIT) and one medical college, namely, Sikkim Manipal Institute of Medical Sciences (SMIMS). The Engineering College has already completed 7 years of existence and the Medical College 4 years. These Institutions of Higher Learning have acquired a well deserved reputation for excellence in education, benefiting the State of Sikkim in variety of ways.

3. In addition to the regular programmes, the Sikkim Manipal University has also undertaken running of Distance Education Programmes having established a state-of-art VSAT network. At the current juncture, SMU's DE Wing delivers a variety of programmes and services to over 40,000 students through over 500 Learning Centres across India. It supports 52 courses across 12 domains. The Distance Education Programme is being conducted since January 2001.

4. The programmes offered through Distance Education mode ensures that the institutional environment is maintained at the learning centres and the students are provided with quality education through VSAT delivery system. Learning Centres of Sikkim Manipal University have been opened in Colleges as well as in other teaching or training institutions that have the requisite infrastructure. The University has followed a model similar to IGNOU in establishing its learning centres. The role of learning centres is restricted to providing infrastructure such as Class rooms, conference Rooms, VSATs, E-mail and Internet connectivity facility, computers, software, televisions, video players, CD-ROM and other modern electronics facilities, conforming to the specification. Related administrative services as well as additional support of faculties wherever required are also provided by the learning centres as per the requisite standards stipulated by the Distance Education Wing of the University. The University maintains control over the nature and level of infrastructure support to be verified before accreditation of a learning centre as also time to time inspections in order to ensure that infrastructure is maintained as per specification and at the required levels, at all points of time. Maintenance of infrastructure and other standards are monitored to ensure that there is no lapse of any sort by learning centres. Non-compliance to meet the requisite criteria can lead to cancellation of learning centres. In fact, the University continues to

examine and improve its processes while finalizing its means of appointing learning centers. In order to ensure quality of education, the University retains control over the teaching programme and the examination system. The University has access to a state-of-the-art VSAT network so that its own faculty can teach the programmes to students from a central studio in Manipal, with VSATs at the learning centre. The purpose is to ensure that lectures are delivered by the University' faculty and are received by each student at the learning centre directly through VSAT. VSAT is a very modern technology with one-way video, two-way audio having satellite connectivity in KU band. Thus the instructional material and books for each course to the students. In addition to the foregoing, the University delineates clearly and provides the programmes guide for each subject. Learning centers can only supplement and not supplant this effort. This is the core under-pinning of the programmes. The examinations are conducted directly by the University under the supervision of University Representatives in institutions which are not associated with the Learning Centres.

5. The Distance Education Programme has been started since January 2001 on the basis of permission accorded by the State Government as conveyed vide letter No. 223/Est-I/Edn. dated 03/10/2000 issued by the Commissioner-cum-Secretary, Department of Education, Government of Sikkim.

6. At the time of commencement of the Distance Education Programme by SMU, the Government of India had not set up any regulatory body for recognition or laid down any standards for such programmes. It is only in the year 2004 that the University Grants Commission (UGC) has mandated that all Distance Education Programmes should be approved by the Distance Education Council (DEC).

7. In an effort to comply with the UGC's mandate that all the Distance Education Programmes offered by the various Universities have to be approved by the Distance Education Council (DEC) of 2004, the Sikkim Manipal University filed necessary applications to DEC on May 14, 2005. The University has submitted all the documents requested by DEC including the course curriculum and the course materials. While processing of the application is in progress, DEC has forwarded the application to UGC for validating the University's jurisdiction to offer programmes outside the State of Sikkim. The University has submitted a copy of the approval obtained from the Department of Education, Government of Sikkim.

8. UGC has indicated that even though the University has taken the approval from the Department of Education, Government of Sikkim, the

same has not been covered under the Sikkim Manipal University of Health, Medical and Technological Sciences Act, 1995.

9. The Sikkim Manipal University of Health, Medical and Technological Sciences Act, 1995 does not specifically mention the Distance Education programmes in any of its provisions. The SMU started the programmes on the basis of the permission given by the Government of Sikkim, and this was at a time when the UGC or the Government of India had not established a designated regulatory body for Distance Education Programmes. The necessity to obtain approval of regulatory body has arisen only in the year 2004, when the University had already been running the programmes for over three years and has built up an extensive infrastructure resulting in benefit of a large number of students who are in need of higher education. It needs to be highlighted that in Sikkim itself nearly five hundred students are beneficiaries of this programme. They would have otherwise been deprived of higher education altogether.

10. It has, therefore, now become essential to effect an amendment to Sikkim Manipal University of Health, Medical and Technological Sciences Act, 1995 in order to incorporate a specific provision allowing the University to carry on the Distance Education Programmes through out the country and abroad.

This Bill has been framed with the above objects in view.

FINANCIAL MEMORANDUM

Nil

MEMORANDUM REGARDING DELEGATED LEGISLATION

The delegation of the legislative powers is of a normal character.

**HISSEY LACHUNGPA
MINISTER-IN-CHARGE
HEALTH CARE, HUMAN SERVICES & FAMILY
WELFARE DEPARTMENT**