

TWENTY SECOND REPORT

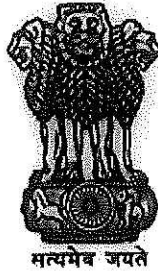
COMMITTEE ON PETITIONS

(SEVENTEENTH LOK SABHA)

MINISTRY OF EDUCATION

(DEPARTMENT OF HIGHER EDUCATION)

(Presented to Lok Sabha on 22.3.2021)



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COMPOSITION OF THE COMMITTEE ON PETITIONS

(2020-21)

Dr. Virendra Kumar - *Chairperson*

MEMBERS

2. Shri Anto Antony
3. Shri Hanuman Beniwal
4. Dr. Sukanta Majumdar
5. Shri Sanjay Sadashivrao Mandlik
6. Smt. Anupriya Patel
7. Dr. Bharati Pravin Pawar
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11. Shri Manoj Tiwari
12. Shri Prabhubhai Nagarbhai Vasava
13. Shri Rajan Vichare
14. Vacant
15. Vacant

SECRETARIAT

- | | | |
|----------------------------|---|-----------------------------|
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| 3. Shri G.C. Dobhal | - | Additional Director |
| 4. Shri Anand Kumar Hansda | - | Assistant Executive Officer |

TWENTY SECOND REPORT OF THE COMMITTEE ON PETITIONS

(SEVENTEENTH LOK SABHA)

INTRODUCTION

I, the Chairperson, Committee on Petitions, having been authorised by the Committee to present on their behalf, this Twenty Second Report (Seventeenth Lok Sabha) of the Committee to the House on the Action Taken by the Government on the recommendations made by the Committee on Petitions (Seventeenth Lok Sabha) in their First Report on the representation of Dr. Amit Kansal regarding alleged violation of Fundamental Right to Education *vis-a-vis* Indira Gandhi National Open University (IGNOU) Act, 1985 and other important issues related therewith.

2. The Committee considered and adopted the draft Twenty Second Report at their sitting held on 16 March, 2021.
3. The observations/recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;
16 March, 2021

DR. VIRENDRA KUMAR,
Chairperson,
Committee on Petitions.

REPORT

ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS MADE BY THE COMMITTEE ON PETITIONS (SEVENTEENTH LOK SABHA) IN THEIR FIRST REPORT ON THE REPRESENTATION OF DR. AMIT KANSAL REGARDING ALLEGED VIOLATION OF FUNDAMENTAL RIGHT TO EDUCATION VIS-À-VIS INDIRA GANDHI NATIONAL OPEN UNIVERSITY (IGNOU) ACT, 1985 AND OTHER IMPORTANT ISSUES RELATED THERWITH.

The Committee on Petitions (Seventeenth Lok Sabha) presented their First Report to Lok Sabha on 6 March, 2020 which had dealt with a representation of Dr. Amit Kansal regarding alleged violation of Fundamental Right to Education *vis-à-vis* Indira Gandhi National Open University (IGNOU) Act, 1985 and other important issues related therewith.

2. The Committee had made certain observations/recommendations in the matter and the Ministry of Education (Department of Higher Education) [*erstwhile Ministry of Human Resource Development*] were asked to implement the recommendations and requested to furnish their action taken replies thereon for further consideration of the Committee.
3. Action Taken Replies have been received from the Ministry of Education (Department of Higher Education) *vide* their Office Memorandum No. F.No.5-26/2019-DL dated 15 February, 2021 in respect of the observations/recommendations contained in the aforesaid Report. While furnishing their Action Taken Replies, the Ministry have *inter alia* stated that the matter was examined in consultation with the Indira Gandhi National Open University (IGNOU) and accordingly, IGNOU *vide* its letter dated 3 February, 2021 had furnished the action taken or proposed to be taken on the observations/recommendations of the Committee on Petitions contained in their First Report.
4. The recommendations made by the Committee and the replies furnished thereto by the Ministry of Education (Department of Higher Education) are detailed in the succeeding paragraphs.
5. In paras 23 to 34 of the Report, the Committee had observed/recommended as follows:-

"University Grants Commission (Open and Distance Learning) Regulations, 2017 vis-à-vis IGNOU's Standards for Achieving Excellence in Design, Development & Delivery of Open and Distance Learning"

The Committee note that the Indira Gandhi National Open University (IGNOU) has been established under the Indira Gandhi National Open University Act, 1985 with the assigned objectives to establish an Open University at the national level for the introduction and promotion of Open University and Distance Education System in the country. The Committee are satisfied to note that the IGNOU serves the educational aspirations of millions of students in the country through a chain of 'Learner Support Centres' which are commonly known as IGNOU Study Centres with the following mandate:-

- (i) To provide access to higher education to all segments of the society;
- (ii) To offer high-quality, innovative and need-based programmes at different levels to all those who require them;
- (iii) To reach out to the disadvantaged by offering programmes in all parts of the country at affordable costs; and
- (iv) To promote, coordinate and regulate the standards of education offered through open and distance learning in the country.

The Committee also note that the University Grants Commission (Open and Distance Learning) Regulations, 2017 [UGC (ODL) Regulations, 2017] were notified and published in the Gazette of India on 23 June, 2017. The Committee further note that the Clauses 1(3) and 2(p) of the Regulations *ibid* apply to a University referred to under Clause (f) of Section 2 of the University Grants Commission Act, 1956 as an Institution Deemed to be University under Section 3 of the said Act for all degree programmes of learning at the Undergraduate and Post-Graduate level(s), other than programmes in Engineering, Medicine, Dental, Pharmacy, Nursing, Architecture, Physiotherapy and programmes not permitted to be offered in distance mode by any other Regulatory Body. The provisions contained in the UGC (ODL) Regulations, 2017 uniformly applied to all Higher Education Institutions including Universities intending to or offering programmes through ODL mode along with the Indira Gandhi National Open University (IGNOU). Consequently, in order to safeguard the interest

of learners, any non-recognition of qualifications offered by the University and to avoid any issues/legal implications, IGNOU adopted the UGC (ODL) Regulations, 2017 and applied for the recognition of UGC for the programmes to be offered under ODL mode with effect from academic session 2018-19 beginning from July, 2018 as per the UGC (ODL) Regulations, 2017 and an undertaking to this effect was also submitted to UGC. Accordingly, the Regional Centres were also asked by the IGNOU to get the requisite assurance from the Learner Support Centre (LSCs) to fulfil the laid down standards in compliance of the UGC (ODL) Regulations, 2017.

As per the submissions made by the Ministry of Education (Department of Higher Education), the Committee take further note of the fact that as per the provisions contained in the IGNOU Act, 1985, and the high standards adopted by IGNOU in maintaining its quality and standards and setting benchmark in Open and Distance Learning (ODL) in the country and abroad, the UGC suo motu took up the proposal of keeping IGNOU outside the purview of UGC (ODL) Regulations, 2017 in its 536th meeting held on 27 September, 2018 and then in its 540th meeting held on 9 April, 2019 decided to amend UGC (ODL) Regulations, 2017 with a view to exempting IGNOU from the application of said Regulations. Subsequently, UGC in consultation with the Ministry of Education (Department of Higher Education), notified the 4th amendment to UGC (ODL) Regulations, 2017 on 6 June, 2019 and accordingly issued Orders on 9 August, 2019 to exempt the IGNOU from the UGC (ODL) Regulations, 2017. Meanwhile, the IGNOU had framed its own 'Standards for Achieving Excellence in Design, Development and Delivery of Open and Distance Learning' to strengthen the quality in the educational programmes offered through ODL mode and the Board of Management of the IGNOU in its 135th meeting held on 19 July, 2019 adopted the 'Notification on Standards for Achieving Excellence in Design, Development and Delivery of Open and Distance Learning' and notified the same on 6 September, 2019.

While meticulously going through the aforementioned sequence of events on the applicability of the University Grants Commission (Open and Distance Learning) Regulations, 2017 in respect of IGNOU, the Committee are unable to understand as to why the IGNOU was kept under the purview of the said Regulations despite the fact that the IGNOU had played a pioneering role in the development, promotion, assessment and accreditation of the ODL institutions in the country. Further, as

most of the provisions contained in the UGC (ODL) Regulations, 2017 related to the programmes and course material development, maintenance of the infrastructure, academic quality, quality assurance, number of teachers and academic staff, use of technology and multimedia resources, admission and examination processes, evaluation, establishment of the Learner Support Centres, etc., which were already in practice at IGNOU during the last 34 years of its existence, the Committee do not find any cogent reason for bringing IGNOU under the purview of said Regulations, especially, in view of the fact that IGNOU already possesses all the requisite wherewithals not only to give policy directives but also to take academic-related decisions for ensuring high standards in the development and delivery of the programmes through Open and Distance Learning mode.

Nevertheless, the UGC in its 540th meeting held on 9 April, 2019 decided to amend the UGC (ODL) Regulations, 2017 to exempt the IGNOU from the application of said Regulations and subsequently, in consultation with the Ministry of Education, notified the 4th amendment to the UGC (ODL) Regulations, 2017 on 6 June, 2019 and accordingly, issued Orders on 9 August, 2019, the Committee recommend the Ministry of Education (Department of Higher Education) that while formulating any policy in regard to the Higher Education through ODL mode and working out modalities for its implementation, the Ministry should ensure that there should not be any inconsistency or vacillation in respect of their applicability to the Higher Educational Institutions of the country, especially in the pioneering Institutions like IGNOU.

While appreciating the efforts of the IGNOU for framing its own 'Standards for Achieving Excellence in Design, Development and Delivery of Open and Distance Learning' to strengthen the quality in the educational programmes offered through ODL mode which are much more stringent in maintaining high standards in ODL in comparison to the UGC (ODL) Regulations, 2017, the Committee trust that the Ministry of Education (Department of Higher Education) would ensure that the procedure, norms and guidelines thereunder shall be followed scrupulously for imparting quality higher education to the disadvantaged and marginalised segments of the population who rely on IGNOU for pursuing their higher studies.

Role of Special Study Centres

The Committee note from the submissions made by the Ministry of Education (Department of Higher Education) that before the existence of the UGC (ODL) Regulations, 2017 and the IGNOU's 'Standards for Achieving Excellence in Design, Development and Delivery of Open and Distance Learning' IGNOU had the provision of Special Study Centres for the Persons with Disabilities (Divyangjan), Women, Scheduled Castes, Scheduled Tribes, Prisoners, Minority Communities, Communities living in Rural/Difficult and Hilly Areas, etc., with the mandate to enhance the access of higher education programmes for the above communities/segments/areas. With a view to attaining the intended objectives of reaching out to the disadvantaged and marginalised segments of the population, the IGNOU invariably enter into Memorandum of Understanding with various Institutions.

The Committee find it a welcome step that a number of Special Study Centres under the IGNOU have been established for integrating the students/learners from the disadvantaged and marginalised segments of the population towards mainstream higher education. Such initiatives are indeed laudable for providing equal opportunities to such students/learners. The Committee, however, feel that such initiatives would have more impact if information or awareness about such facilities are extended to the targeted population in a better way. In this regard, the Committee hope that the Department of Higher Education, being the Nodal Authority, for higher education in the country, should take the lead role for increasing the representation of disadvantaged and marginalized segments of the society.

The Committee also note that the UGC (ODL) Regulations, 2017 apply to a University referred to under clause (f) of section 2 of the University Grants Commission Act, 1956, an Institution Deemed to be University under section 3 of the said Act, for all degree programmes of learning at the Undergraduate and Post-Graduate level, other than programmes in Engineering, Medicine, Dental, Pharmacy, Nursing, Architecture, Physiotherapy and other professional programmes not permitted to be offered in distance mode by any other Regulatory Body. Notwithstanding the fact that these specialised programmes need the requisite approval from the respective Statutory Councils or Regulatory Authorities, the Committee urge the Ministry of Education (Department of Higher Education) to explore the possibility, in consultation with the Ministries/Departments and Statutory

Bodies concerned, for a workable module of such specialised programmes particularly in the fields of Agriculture, Tourism, Skill Development, etc. The Committee also recommend that such programmes could be based mostly on a theoretical curriculum coupled with a limited period of Internship/Apprenticeship under the respective Regulatory Authority/Body.

Continuation of Learner Support Centres/Special Study Centres

The Committee note that the Special Study Centres, without the availability of professionally qualified faculty and adequate infrastructure facilities as per the prescribed standards, would not be able to fulfill the commitment to the learners for imparting quality education and therefore, the IGNOU had issued directives to all the Regional Centres to continue with the Special Study Centres for a period of six months from January, 2019 as an 'interim measure' during the period of rolling out the implementation of the UGC (ODL) Regulations, 2017, in a phased manner, taking into account the learners' enrolled for January, 2019 session with an advice to impress upon the Special Study Centres to fulfil the minimum standards in the Higher Educational Institutions as mandated under the UGC (ODL) Regulations, 2017. Subsequently, a further extension of six months, with effect from July, 2019 was also given as a 'provisional measure'.

The Committee are perplexed as to why such an important decision in the form of giving extension for continuing with the Special Study Centres had been taken on a piecemeal basis due to which the dreams of thousands of students/learners for pursuing higher technical education through distance learning mode are at stake. The Committee are apprehensive not only about the future of the students/learners enrolled to various restricted courses but also the operational aspect of various Special Study Centres, i.e., whether these Centres would be allowed to continue their operations in future or they would be forced to closed down. Though the IGNOU is committed to follow its standards in establishment and continuance of the Learner Support Centres/Special Study Centres which is a welcome step, the Committee recommend the Ministry of Education (Department of Higher Education) to ensure the continuance of the Learner Support Centres/ Special Study Centres so that the students/learners are guaranteed of their Fundamental Right to Education and are not deprived of pursuing higher educational studies through distance learning mode.

The Committee also do not approve the averments made by the Ministry of Education (Department of Higher Education) that the Regulations concerning the governance of Special Study Centres was started way back in the year 2018 to get each and every Centre recognised by any of the Government Recognised University and, therefore, an extension of 6 months had been given which was further extended for July, 2020 session, whereas, sub-clause (xxi) of Clause 1 of Section 5 of the IGNOU Act, 1985 clearly empowers the IGNOU to recognise any Institution of higher learning or studies for such purposes as the University may determine and to withdraw such recognition. The Committee are of their considered view that being a mega Central Open University established under the Act of Parliament, IGNOU should work out concrete Action Plan with regard to giving recognition/affiliation of its Learning Support Centres themselves rather than shrugging off their responsibility and leaving them in the lurch for obtaining the requisite recognition from any other of the Government recognised University.

The Committee note from the submissions made by the Ministry of Education (Department of Higher Education) that presently 1877 Learner Support Centres including the Special Study Centres are active under the jurisdiction of 56 Regional Centres of IGNOU, whereas, 1245 of them are in abeyance. The Committee are dismayed to note such a high number of inactive Learner Support Centres in comparison to the operational ones. The Committee, therefore, urge the Ministry of Education (Department of Higher Education) to take necessary steps to find out the reasons as to why these Learner Support Centres are in abeyance and after carrying out a realistic assessment of the same, should take urgent and corrective measures to make all these inactive Learner Support Centres operational.

6. The Ministry of Education (Department of Higher Education), in their action taken replies, have submitted, as under:-

"The Indira Gandhi National Open University (IGNOU) has been mandated to "provide access to higher education for large segments of the population, and in particular, the disadvantaged groups such as those living in remote and rural areas including working people, housewives and other adults who wish to upgrade or acquire knowledge through studies in various fields" (IGNOU Act, 1985, First Schedule). In the past 35 years of its existence, IGNOU has made significant

progress in taking the benefit of quality higher education to the disadvantaged and marginalized segments of the society.

While ensuring its outreach to all segments of society and all parts of the country, IGNOU has also been ensuring the quality in educational delivery through the network of Learner Support Centres (LSCs). The University has an established procedure to ensure that the LSCs have the required physical and academic infrastructure to extend quality academic and other support to its learners; and in this exercise the University is guided by the Regulations/norms of the University Grants Commission (UGC), as well as the norms approved by the Board of Management of the University for maintenance of Standards.

Recently IGNOU has been awarded with A++ grade by NAAC for its excellence in academic infrastructure and quality support services. It has been possible only because of its quality maintained through well equipped LSCs and academic counselors.

There have been difficulties in the past in the acceptability of degree earned by students through ODL mode in comparison to the degree earned through conventional mode of education. The students earning their degree through ODL mode were not treated at par with those having their degree from the conventional mode by the employers. This has highlighted the need for ensuring that the ODL institutions maintain the highest standards of education.

The UGC Regulations on education through ODL mode for Higher Education Institutions (HEIs) as notified in the year 2017 and in subsequent years have addressed all these issues; and parameters have been defined for the ODL Institutions to maintain the required standards in the quality of educational delivery. The latest Regulations as notified by the UGC in 2020 on ODL and Online Education ensures the equivalence of degrees earned by both the systems and accordingly accepted for educational and employment purposes. Any dilution of such standards may create adverse effect on the credentials of UG and PG degrees awarded by the University.

The new ODL Regulations envisage that Special Study Centres (SSCs) can be established only for the benefit of the people living in inaccessible/restricted areas

like jails/defense categories where the academic support is extended by the nearby regular study Centres.

In the New Education Policy (NEP), 2020, ensuring quality of education is one of the major focus areas. Any deviation from the quality standards set by ODL Regulations/NAAC/UGC/IGNOU will be detrimental to the interest of learners.

After the ODL Regulations, 2017 of the UGC coming into being, the University has been regularly advising all the SSCs to ensure that they comply with the norms of UGC/IGNOU, which inter-alia requires them to get affiliated to a Government recognized University/Institution. As on date, there are only 31 SSCs which have so far not confirmed their compliance with the norms of UGC/IGNOU, and thus remain 'non-compliant'.

The University has given extension up to January, 2021 by extending the time to the Institutions to get themselves recognized as per ODL-Regulations/University Standard for Excellence. Keeping in mind the interest of the learners enrolled through the non-compliant SSCs and to ensure that they are not put to any hardship, the University is further extending time up to July 2022 to enable them to upgrade their physical/academic infrastructure as per ODL-Regulations/University Standard for Excellence norms and to get affiliated to a recognized University/Institution. No further extension shall be given beyond July, 2022 and SSCs which fail to meet the requirements as stated above shall automatically cease to be Centres of IGNOU. The interest of existing learners will be protected and they will be shifted to nearby recognized Study Centres.

As already elaborated in the preceding para, the University is duty bound to implement standards for achieving excellence in design, development and delivery in ODL uniformly for the interest/future of the learners to guarantee the validity of the degree earned from IGNOU.

In the light of the recommendations of the Hon'ble Committee and the facts stated above, the following action has been taken by the University:-

- The University is considering giving time up to July, 2022 to the non-compliant SSCs to enable them to upgrade their physical/academic

infrastructure and to get affiliated to a recognized University. One of the 31 non-compliant Centres is Nirman Campus of Education, Research and Training, run by Sh. Amit Kansal. The Centre falls under the jurisdiction of IGNOU Regional Centre, Khanna, Punjab.

- No new Programme and no new Special Study Centres (SSC) will be established except in Jails and other categories as specified in the Standard for Excellence in Design Development and Delivery of Open and Distance Learning.
- No extension beyond July, 2022 shall be given and Centres which fail to comply with the UGC/IGNOU norms by July, 2022 shall cease to be Centres of IGNOU.
- In the event of a Centre failing to comply with the ODL-Regulations/IGNOU norms by the above date, the learners enrolled at that Centre shall be attached to nearby LSCs and the University shall ensure that all academic and other support is extended to them to enable them to complete their programme of study.
- The total number of new students registered in January 2020 session attached to the study centre (2281D) run by Shri Amit Kansal is 1384, which is comparatively less than the total enrolment of 52630 at all non-compliant LSCs (List of all non-compliant LSCs is provided at Annexure).

Hence, it is submitted that -

- (i) The system of Open and Distance Learning has been extending support to accommodate all categories of people by providing educational access to a larger segment of population. This is the only system guarantees the education entry to all adolescent citizens irrespective of various heterogeneity factors like caste and creed, socio economic background, urban rural divide etc., IGNOU is unique by maintaining its identity on carrying out its mission of "Peoples University". The inclusive education system of IGNOU mandates for educational development of disadvantaged segment those who have been deprived of higher educational access through conventional mode. The present IGNOU regulations strongly support for the higher educational rights and standards in higher education. The question of keeping specific provision with limited resources under the category of special study centre other than the specified areas may lead to the discrimination of the quality of the degree.

- (ii) *Special Study Centres are categorized for the support to the disadvantaged segment of population like jail inmates and defense personnel for which University has made special provision to link it with the academic resources of nearby LSCs and technology based delivery.*
- (iii) *Study Centres are only facilitating the academic support to the learners. University has made all arrangements to extend support services to the learners without putting any hardship in their learning process by -*
 - (a) *Opening the Centres near to the vicinity of the learners at the full fledged regular recognized higher educational institutions/college and shifting them for further continuance of their study;*
 - (b) *Empowerment of use of technology by the learners in using social media plat-form like face-book/google meet, etc. Activities of IGNOU on Gyan Dharsan and Gyan Vani have been strengthened with more sessions for their learning support;*
 - (c) *The number of non-compliant SSC is reduced to 31 as per the list attached.*

There are no hurdles to the candidates who were undergoing their 2 or 3 years of the Programme".

OBSERVATIONS/RECOMMENDATIONS

University Grants Commission (Open and Distance Learning) Regulations, 2017 vis-à-vis IGNOU's Standards for Achieving Excellence in Design, Development & Delivery of Open and Distance Learning

7. The Committee, while meticulously going through the entire sequence of events as submitted by the Ministry of Education (Department of Higher Education) during the course of detailed examination of the instant representation of Dr. Amit Kansal, had noted that the UGC, in its 540th meeting, held on 9 April, 2019 decided to amend the UGC (ODL) Regulations, 2017 to exempt the IGNOU from the application of said Regulations and subsequently, in consultation with the Ministry of Education, notified the 4th amendment to the UGC (ODL) Regulations, 2017 on 6 June, 2019 and accordingly, issued Orders on 9 August, 2019. The Committee had, therefore, recommended the Ministry of Education (Department of Higher Education) that while formulating any policy in regard to the Higher Education through ODL mode and working out modalities for its implementation, the Ministry should ensure that there should not be any inconsistency or vacillation in respect of their applicability to the Higher Educational Institutions of the country, especially in the pioneering Institutions like IGNOU.

8. The Committee while appreciating the efforts of the IGNOU for framing its own 'Standards for Achieving Excellence in Design, Development and Delivery of Open and Distance Learning' to strengthen the quality in the educational programmes offered through ODL mode which are much more stringent in maintaining high standards in ODL in comparison to the UGC (ODL) Regulations, 2017 had also noted that the Board of Management of the IGNOU, in its 135th meeting held on 19 July, 2019, adopted the 'Notification on Standards for Achieving Excellence in Design, Development and Delivery of Open and Distance Learning' and notified the same on 6

September, 2019. Further, the Committee had placed their trust in the Ministry of Education (Department of Higher Education) that it would ensure that the procedure, norms and guidelines thereunder shall be followed scrupulously for imparting quality higher education to the disadvantaged and marginalised segments of the population who rely on IGNOU for pursuing their higher studies.

9. The Ministry of Education (Department of Higher Education), in their action taken replies, have *inter alia* submitted that the IGNOU has an established procedure to ensure that the Learner Support Centres (LSCs) have the required physical and academic infrastructure to extend quality academic and other support to its learners, and in this exercise, the University is guided by the regulations/norms of the University Grants Commission (UGC) as well as the norms approved by the Board of Management of the University for maintenance of standards. The Ministry have informed the Committee that recently, IGNOU has been awarded with A++ grade by NAAC for its excellence in academic infrastructure and quality support services, which has been possible only because of its quality maintained through well equipped LSCs and academic Counselors. The Ministry have further informed the Committee that there have been difficulties in the past in the acceptability of degree earned by the students through ODL mode as these degrees were not treated at par with those having their degree from the conventional mode by the employers and this has highlighted the need for ensuring that the ODL Institutions maintain the highest standards of education.

10. The Ministry of Education (Department of Higher Education) have also informed the Committee that the latest UGC Regulations on education through ODL mode for Higher Education Institutions (HEIs) and Online Education have been notified in the year 2020, wherein parameters have been defined for the ODL

Institutions to maintain the required standards in the quality and the educational delivery which ensure the equivalence of degrees earned by both the systems and accordingly accepted for educational and employment purposes. The Ministry have further informed that the new ODL Regulations envisage that Special Study Centres (SSCs) can be established only for the benefit of the people living in inaccessible/ restricted areas like jails/defence categories where the academic support is extended by the nearby regular Study Centres. The Ministry have also informed that in the New Education Policy (NEP) 2020, ensuring quality of education is one of the major focus areas.

11. While acknowledging the fact that IGNOU has been recently awarded with A++ grade by NAAC for its excellence in academic infrastructure and quality support services, the Committee are unhappy to note that pursuant to the Committee's recommendations made in their Report relating to the policy formulation *vis-à-vis* its applicability to the Higher Education Institutions (HEIs) and adherence to any other procedures, norms and guidelines notified by the University, the Ministry of Education (Department of Higher Education) have not provided any specific reply on the action taken or proposed to be taken as to how their implementation could be ensured by the Ministry for attaining tangible outcome. The Committee, therefore, reiterate that while undertaking any policy formulation process in regard to the Higher Education through ODL mode, the Ministry of Education (Department of Higher Education) should work out on modalities to ensure that there should not be any inconsistency or vacillation in respect of their applicability to the Higher Educational Institutions of the country, especially in the pioneering Institutions like IGNOU. In this follow-up, while emphasizing the role of the Ministry in ensuring delivery of quality education, the Committee hope that the Ministry of Education (Department of Higher Education) would ensure that the procedures, norms and

guidelines as notified by the University from time to time, shall be followed scrupulously for imparting quality higher education to the disadvantaged and marginalised segments of the population who rely on IGNOU for pursuing their higher studies. The Committee would like to be apprised of the specific and concrete action taken in this regard.

Role of Special Study Centres

12. While underlining the role of Special Study Centres under IGNOU which have been established for integrating the students/learners from the disadvantaged and marginalised segments of the population towards mainstream higher education, the Committee had expressed their hope that the Department of Higher Education, being the Nodal Authority, for higher education in the country, should take the lead role for increasing the representation of disadvantaged and marginalized segments of the society.

13. Based on the observations that the UGC (ODL) Regulations, 2017 apply to a University referred to under clause (f) of section 2 of the University Grants Commission Act, 1956, an Institution Deemed to be a University under Section 3 of the said Act, for all degree programmes of learning at the Undergraduate and Post-Graduate level, other than specialised programmes in Engineering, Medicine, Dental, Pharmacy, Nursing, Architecture, Physiotherapy and other professional programmes not permitted to be offered in distance mode by any other Regulatory Body which need the requisite approval from the respective Statutory Councils or Regulatory Authorities, the Committee had urged the Ministry of Education (Department of Higher Education) to explore the possibility, in consultation with the Ministries/Departments and Statutory Bodies concerned, for a workable module of such specialised programmes particularly in the fields of Agriculture, Tourism, Skill

Development, etc. As a matter of fact, the Committee had also recommended that such programmes could be based mostly on a theoretical curriculum coupled with a limited period of Internship/Apprenticeship under the respective Regulatory Authority/Body.

14. The Committee are not happy to note that Ministry of Education (Department of Higher Education), in their action taken replies, have not commented anything on the steps taken or proposed to be taken in response to the above recommendations. The Committee, therefore, while underlining the role and responsibility of the Department of Higher Education in facilitating disadvantaged and marginalized segments of the society to access the Higher Education, reiterate to the Ministry of Education (Department of Higher Education) to explore the possibility, in consultation with the Ministries/Departments and Statutory Bodies concerned, for a workable module of specialised and professional education programmes particularly in the fields of Agriculture, Tourism, Skill Development, etc., also through a distance mode. The Committee would like to await the details of specific action taken or proposed to be taken in this regard.

Continuation of Learner Support Centres/Special Study Centres

15. While appreciating IGNOU's commitment to follow its standards in establishment and continuance of the Learner Support Centres/Special Study Centres as a welcome step, the Committee had recommended the Ministry of Education (Department of Higher Education) to ensure the continuance of the Learner Support Centres/Special Study Centres so that the students/learners are guaranteed of their Fundamental Right to Education and are not deprived of pursuing higher educational studies through distance learning mode.

16. Notwithstanding this, the Committee were dismayed to note that as many as 1245 number of Learner Support Centres were non-operational in contrast to the 1877 Learner Support Centres including the Special Study Centres which were operational under the jurisdiction of 56 Regional Centres of IGNOU. The Committee had, therefore, urged the Ministry of Education (Department of Higher Education) to take necessary steps to find out the reasons as to why these Learner Support Centres were in abeyance and after carrying out a realistic assessment of the same, should take urgent and corrective measures to make all these inactive Learner Support Centres operational.

17. The Ministry of Education (Department of Higher Education), in their action taken replies, have submitted that after ODL Regulations, 2017 of UGC came into being, IGNOU has been regularly advising all the Special Study Centres (SSCs) to ensure that they comply with the norms of UGC/IGNOU, which *inter-alia* requires them to get affiliated to a Government recognized University/Institution. In this connection, the Ministry have informed the Committee that as on date, there are 31 SSCs which have so far not confirmed their compliance with the norms of UGC/IGNOU, and thus remain 'non-compliant'. The Ministry have further informed that the University had earlier given extension up to January, 2021 to the Institutions to get themselves recognized as per ODL-Regulations/University Standard for Excellence. However, keeping in mind the interest of the learners enrolled through the 'non-compliant' SSCs and to ensure that they are not put to any hardship, the University is further extending the time up to July, 2022 to enable them to upgrade their physical/academic infrastructure as per ODL-Regulations/University Standard for Excellence norms and to get affiliated to a recognized University/Institution. The Ministry have also informed that no further extension shall be given beyond July,

2022 and SSCs which fail to meet the requirements as stated above shall automatically cease to be Centres of IGNOU and in such a case, the learners enrolled at those Centres shall be attached to nearby Learner Support Centres and the University shall ensure that all academic and other support is extended to them to enable them to complete their programme of study.

18. Notwithstanding the fact that the time limit in respect to the 'non-compliant' Special Study Centres is being extended up to July, 2022 to comply with the norms of UGC/IGNOU giving them a considerable period of time to upgrade their physical/academic infrastructure as per ODL-Regulations/University Standard for Excellence norms, the Ministry of Education (Department of Higher Education) have neither provided the details of any specific measures to find out the reasons as to why these Learner Support Centres are in abeyance nor the details of any corrective measures to make all these inactive Learner Support Centres operational after carrying out a realistic assessment of the causes. Further, the action taken replies of the Ministry of Education (Department of Higher Education) are silent on the aspect of their support to the Learner Support Centres/Special Study Centres so as to ensure that they continue their operation while complying with the norms of UGC/IGNOU as per ODL-Regulations/University Standards for Excellence so that the students/learners are guaranteed of their Fundamental Right to Education and are not deprived of pursuing higher educational studies through distance learning mode. The Committee, therefore, again impress upon the Ministry of Education (Department of Higher Education) to put in their concerted efforts, in consultation with the UGC and IGNOU, to carry out a realistic assessment as to why a number of Special Study Centres (SSCs)/Learner Support Centres (LSCs) have been non-operational and to provide them all possible help for enabling them to comply with the norms of UGC/IGNOU as per ODL-Regulations/University Standards for Excellence within the

prescribed time limit in order to ensure that the students/learners of these Centres are not deprived of their Fundamental Right to Education and could conveniently pursue their higher educational studies through distance learning mode. The Committee would wish to await the details of specific action taken or proposed to be taken in this regard and also the updated status of the 'non-compliant' Special Study Centres (SSCs)/Learner Support Centres (LSCs).

NEW DELHI;

16 March, 2021

**DR. VIRENDRA KUMAR,
Chairperson,
Committee on Petitions**

Annexure

List of Non-compliant LSCs with Enrolment

Sl. No.	RC Name	No. of Non-compliant LSCs	Non- Practical based LSCs	Practical based LSCs	Enrolment at Non-compliant LSCs
1	Delhi 02	17	5	12	13645
2	Deoghar	4	3	1	9494
3	Delhi 03	16	6	10	6289
4	Delhi 01	17	5	12	5524
5	Patna	11	4	7	4441
6	Noida	14	3	11	2135
7	Koraput	1	1	0	1905
8	Khanna	3	1	2	1879
9	Jaipur	3	0	3	1676
10	Siliguri	4	2	2	1435
11	Shimla	4	3	1	1128
12	Trivandrum	5	1	4	725
13	Shillong	7	7	0	416
14	Varanasi	4	2	2	366
15	Jodhpur	1	0	1	249
16	Bhubaneswar	2	1	1	239
17	Ranchi	3	1	2	222
18	Jorhat	2	1	1	163
19	Cochin	1	1	0	131
20	Imphal	4	3	1	108
21	Guwahati	1	1	0	101
22	Itanagar	2	2	0	93
23	Vijayawada	2	0	2	62
24	Ahmedabad	4	4	0	49
25	Bhopal	2	1	1	40
26	Visakhapatnam	3	1	2	37
27	Panaji	1	1	0	36
28	Bhagalpur	2	2	0	18
29	Pune	3	0	3	11
30	Kohima	2	1	1	10
31	Gangtok	1	1	0	3
	Total	146	64	82	52630

1. Total No. of Non-compliant LSCs-253

2. No. of non-compliant LSCs where students are enrolled-146
(Non-practical based LSCs-64 and Practical based LSCs-82)

3. No. of non-compliant LSCs where no enrollment-107

4. No. of LSCs category wise where students are enrolled – RSC-84, SSC-31, PSC-31 (Total-146)

**MINUTES OF THE SIXTEENTH SITTING OF THE COMMITTEE ON PETITIONS
(SEVENTEENTH LOK SABHA)**

The Committee met on Tuesday, 16 March, 2021 from 1500 hrs. to 1730 hrs. in Committee Room 'D', Parliament House Annexe, New Delhi.

PRESENT

Dr. Virendra Kumar - Chairperson

MEMBERS

2. Shri Brijendra Singh
3. Shri Sushil Kumar Singh
4. Dr. Bharati Pravin Pawar
5. Shri Prabhubhai Nagarbhai Vasava

SECRETARIAT

1. Shri T.G. Chandrashekhar - Joint Secretary
2. Shri Raju Srivastava - Director

WITNESSES

XXX XXX XXX

2. At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee.

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12. The Committee then considered the following three Draft Action Taken Reports:-

- (i) XXX XXX XXX
- (ii) XXX XXX XXX

(iii) Draft Action Taken Report on the action taken by the Government on the recommendations made by the Committee on Petitions (Seventeenth Lok Sabha) in their First Report on the representation of Dr. Amit Kansal regarding alleged violation of Fundamental Right to Education *vis-a-vis* Indira Gandhi National Open University (IGNOU) Act, 1985 and other important issues related therewith.

13. After detailed discussion, the Committee adopted the above mentioned three Draft Action Taken Reports without any modification(s). The Committee also authorised the Chairperson to finalise the Draft Report and present the same to the House.

14. XXX XXX XXX

15. A copy of the verbatim record of the proceedings of the sitting of the Committee has been kept.

The Committee, then, adjourned.

XXX Does not pertain to this Report.