

## TERTIARY

## SATYAM/IT

① 9/7/02

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### SATYAM/MINISTRY OF EDUCATION - MEMORANDUM OF UNDERSTANDING

(No. B/423) Dr. A. Boolell (Second Membr for Vieux Grand Port & Rose Belle) asked the Minister of Education & Scientific Research whether he will state if Satyam (Informatics Training and Software Devt) has signed a memorandum of understanding with his Ministry.

**Mr S. Obeegadoo:** Sir, following a proposal made in March this year by the Vice-President of Satyam Computer Services Ltd. for the setting up of a Learning Centre and a Development Centre in Mauritius, Satyam has signed a memorandum of understanding with my Ministry and Business Parks of Mauritius Ltd. In actual fact, the memorandum of understanding for the setting up of the Learning Centre has been signed with Satyam Infoway, a subsidiary of Satyam based in India.

Satyam is, of course, an Indian company with international reputation engaged in the development of computer software activities worldwide, with development centres in India, US, Europe, Japan and Singapore. It works with a variety of business and technology partners to design and implement ICT projects.

The objective of the learning centre proposal is to support the process of developing high-level human resources in ICT and to position Mauritius as a significant player by 2006 in line with national objectives.

The main objective in signing the memorandum of understanding was to enable Satyam to work out a detailed training needs analysis and proceed with preparatory activities immediately, without loss of time, so as to be able to meet the scheduled launch of courses by the Software Learning Centre this year. The training needs analysis report was presented by Satyam in May last and was widely discussed at a workshop held at the University of Technology, Mauritius on 28 May with stakeholders comprising representatives of Ministries concerned, the University of Mauritius, UTM, the private sector, BPML and Satyam. The training needs analysis has thereafter been reviewed by Satyam to incorporate suggestions made at the workshop.

## UNREVISED

KV/23/P6/2  
NO B/423 (CONTD)

The memorandum of understanding constitutes an expression of intent only and does not constitute a legally binding offer or contract. A formal contractual agreement may be signed after all the implications, including financial implications, have been carefully studied. In this regard, a technical committee, under the chairmanship of the Executive Director of the Tertiary Education Commission and comprising stakeholders concerned, has been set up to study a draft agreement submitted by Satyam.

**Dr. Boolell:** Would the Minister inform the House whether a commitment fee has been discussed and agreed upon?

**Mr Obeegadoo:** Sir, I am not in a position to say so. As I said, the information I have is that there is no binding agreement as at present time and a draft agreement is being studied.

**Dr. Boolell:** Will the Minister inform the House why Satyam has been chosen and not other well-known firms?

**Mr Obeegadoo:** Mr Speaker, we have embarked on a vast offensive to work in partnership with as many reputable institutions as there may exist and which are interested in working with us for the development of human resources for the ICT. So, we are working with Satyam and with many other organisations like Infosys and CIDAC to offer scholarships sustaining the training effort to prepare our island within the perspective of the cyber island project.

**Dr. Boolell:** I am not against any partnership with any Indian informatics company. What I am asking is on what basis has Satyam been chosen, when we know that Satyam is closing all its offices in Europe because of recurrent expenses. It's an opportunity that Satyam is here to grasp and I would like to know why the opportunity is being given to Satyam only and not to others. Why not open it?

**Mr Obeegadoo:** Mr Speaker, whatever institution, whatever enterprise such as Satyam, which is coming to us with a viable proposal, is being welcomed to the extent it is of good repute and can serve the national

## UNREVISED

KV/23/P6/3

NO B/423 (CONTD)

interest. All such offers are being considered. I have given two other examples, that is, Infosys and CIDAC which are working with us. Satyam, as we know, has a special interest in Mauritius because of their activities in France where they consider Mauritian nationals can be useful given the mastery our compatriots have of both English and French.

**Dr. Boolell:** In the name of transparency and openness, the criteria for selection should have been open to one and all, to all the Indian companies. This is what we are appealing to. What I am saying is that Satyam is grasping an opportunity which should have been given to all the others.

**Mr Obeegadoo:** Mr Speaker, if the hon. gentleman has any other ideas, he is most welcome to get in touch with us.

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**MINISTRY OF EDUCATION/SATYAM INFOWAY –  
MEMORANDUM OF UNDERSTANDING**

(No. B/517) **Dr. A. Boolell (Second Member for Vieux Grand Port & Rose Belle)** asked the Minister of Education & Scientific Research whether the Memorandum of Understanding between his Ministry and the Satyam Infoway has been revised and, if so, will he make a statement thereon.

**Mr Obeegadoo:** Sir, in my reply to PQ No. B/423 of 09 July, I stated that Satyam has signed a Memorandum of Understanding with my Ministry and Business Parks of Mauritius Ltd. (BPML). I also informed the House that a Technical Committee, under the chairmanship of the Executive Director of the Tertiary Education Commission and comprising different stakeholders concerned, was set up to study all the implications of a draft agreement submitted by Satyam for the setting up of a learning centre and a development centre.

The Technical Committee has now taken cognizance of the latest proposal of Satyam which was submitted last week and that proposal is now under consideration by Government. Should Government consider that it would be in the national interest to do so, a formal agreement will be signed with Satyam. Accordingly, the question of revising the Memorandum of Understanding does not arise.

**Dr. Boolell:** Sir, since the Minister has said that we have to take into consideration national interest, can I then impress upon him - when the committee completes its work - that the report of the Technical Committee be rendered public?

**Mr Obeegadoo:** That is not for me to decide. I shall transmit the request to Government.

(PQ No. B/518 – see after PQ No. B/521)

**EMPOWERMENT PROGRAMME – COMPANIES - TRAINING  
/PROJECTS (17/07/07)**

(No. B/791) **Mr J. Cuttaree (Second Member for Stanley and Rose Hill)** asked the Deputy Prime Minister, Minister of Finance & Economic



Development whether, in regard to companies which have benefited from the Empowerment Programme for training projects since it was set up, he will give a list thereof, indicating in each case the amount allocated.

**The Minister of Labour, Industrial Relations & Employment (Dr. V. Bunwaree):** Mr Speaker, Sir, with your permission, I shall reply to this question.

Mr Speaker, Sir, I am laying on the Table of the National Assembly the lists of companies/institutions which have benefited from the Empowerment Programme for the placement with training of the unemployed.

In fact, I am informed that as to date, 38 companies and organisations are providing on-the-job training to unemployed graduates/diploma holders and the sum allocated amounts to Rs1.7 m. With regard to the other categories of unemployed, 41 companies and institutions are offering training and the amount involved is Rs4.3 m.

### **GLOBAL NET CO. & INSTITUTE OF BUSINESS AND PROFESSIONAL STUDIES – ALLEGED SWINDLING (24/07/07)**

**(No. B/831) Mrs L. D. Dookun-Luchoomun (Third Member for La Caverne and Phoenix)** asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to whether a group of students recently made a statement against Global Net Co. and the Institute of Business and Professional Studies at the Trou Fanfaron Police Station.

**Reply:** I am informed by the Commissioner of Police that a group of 15 persons reported a case of alleged swindling at the Trou Fanfaron Police Station on 03 July 2007 against the Director of Globe Net Co.

According to the statement made to Police, job opportunities as telephone operators at Globe Net Co. were advertised in the press in March 2007. Globe Net Co was advertised as a fast expanding company in the BPO Sector offering employment to 100 Telephone Operators to school leavers, with SC or HSC. The benefits would include a basic salary of Rs9,000, Rs2,000 attendance bonus, other allowances, in-house promotion as well as transport facilities.

On application, however, candidates were required to follow a course in “*Les Métiers des Centres D’Appels*” against the payment of a course fee of

Rs9,000 at the Institute for Business and Professional Studies.

No job has been offered to the trainees after completing the training course. The press advertisement was blatantly misleading. The case has been referred to the Central CID and police enquiry is under way.

**EASTERN INSTITUTE FOR INTEGRATED LEARNING IN  
MANAGEMENT (EIILM) – APPLICATIONS, JOINT VENTURES,  
ETC. (24/07/07)**

**The Leader of the Opposition (Mr N. Bodha)** (*By Private Notice*)

asked the Minister of Education & Human Resources whether, in regard to post-secondary education, he will, for the benefit of the House, obtain from the Tertiary Education Commission, information as to –

- (a) the number of applications for registration as post-secondary institutions since July 2005;
- (b) the number of joint ventures between local institutions and foreign bodies which have been approved since July 2005;
- (c) the setting up of the Eastern Institute for Integrated Learning in Management (EIILM) University in Mauritius, and
- (d) if applications are being processed for nursing colleges at –
  - (i) the new Apollo Hospital;
  - (ii) the Nightingale Nursing College, and
  - (iii) the Institute of Technology and Medical Sciences.

**Mr Gokhool:** Mr Speaker Sir, in the context of the new orientation of our economy to meet the challenges of globalisation, the education sector, in particular post secondary and higher education is called upon to play a vital role in providing the nation with the required human capital.

The Tertiary Education Commission is the agency set up by Government and has as objects to promote, plan, develop and coordinate post-secondary education in Mauritius and to implement an overarching regulatory framework to achieve high international quality. It also has the responsibility to allocate government funds to the Tertiary Education Institutions under its purview and to ensure accountability and optimum use of resources.

In pursuance of its statutory objectives and powers, the Tertiary Education Commission will –

- (i) Promote and develop the tertiary education system in Mauritius to attain high world standard;
- (ii) Align and co-ordinate the activities of tertiary Education

Institutions to meet the country's regional, international and global needs and aspirations, present and future;  
(iii) Adopt principles of transparency and accountability in all its venture and inculcate those principles into all tertiary education institutions.

An important indicator of the development of our high-level human capital is the participation level in tertiary education. Enrolment in the Tertiary sector has increased from 26,074 in 2004 to 28,864 in 2005 and to 33,230 in 2006 and estimated to rise to 35,000 in 2007. This shows that there has been a marked improvement in the Gross Tertiary Enrolment Rate (GTER) from 24% in 2004 to 28% in 2005 and an estimated rate of 34% in 2006. As per the new TEC Strategic Plan 2007-2011 and the White Paper on Tertiary Education projections, the GTER is expected to increase to 40% in 2010 and to 45% in year 2015.

Since July 2005, there is a national policy framework for the setting up of Tertiary Educational Institutions in Mauritius.

Before submitting their application for the setting up of tertiary institutions in Mauritius, promoters are therefore requested to read and comply strictly to, *inter alia*, the following –

- (i) the institution wishing to set up a branch in Mauritius shall either be a recognised accredited university/deemed university in its home country;
- (ii) the branch campus shall be serviced, *inter alia*, by members of academic staff of the parent campus. Alternatively, all staff appointed shall be on the basis of the same criteria as those of the parent campus;
- (iii) the institution shall ensure that the programme(s) run and the award(s) made at the branch campus are similar to those offered in its parent campus and have the same recognition status as those of the parent institution in the home country. If regulations in the home country do not permit this, the institution will work with the Ministry of Foreign Affairs, International Trade & Cooperation to obtain recognition for courses taken and/or degrees awarded from the Mauritian campus;
- (iv) the institution shall ensure that the same academic quality and standards as those of the parent campus are prevailing at the branch campus, and for that purpose set out appropriate mechanisms;
- (v) once established, the branch campus shall comply with the regulatory framework for post-secondary education in Mauritius;
- (vi) an overseas accredited institution wishing to set up an institution

in Mauritius as a separate entity from the parent institution, shall ensure that strong academic linkage exists between the institution to be set up and the parent institution, and also compliance with conditions (ii) and (v) above;

In the Budget speech 2007/2008, additional proposals have been made for the development of this sector. I quote -

“52. To encourage the development of the Knowledge Hub, Government is introducing a fast track process to issue a visa to foreign students pursuing full time studies.

53. In addition, we will amend legislation to accelerate approval for all training and educational institutions that undertake to comply with all regulations established by the appropriate regulatory authority or the prevailing norms as communicated by the regulatory agency on request. To this end, we are amending legislation to give the Tertiary Education Commission (TEC) full authority to allow foreign training and educational establishments in all fields to set up in Mauritius. TEC will provide a response to applicants within 6 weeks of receiving a complete application. In case of rejection, there will be clear indication of which guidelines have not been met. To facilitate applications, the requirements for application and for operating in Mauritius will be posted on the BOI and TEC website.”

(vii) in the case of greenfield investment in higher education, whether by individuals or enterprises, local or overseas, the promoter will be responsible for obtaining international recognition of the degrees to be awarded on its Mauritius Campus. This could be achieved either by collaboration with a recognized institution which shall be the awarding body or by obtaining the necessary recognition of qualification(s) in at least one country that provides students to attend the Mauritius campus. Moreover, such institutions will also comply with condition (v) above.

With regard to part (a) of the question, Mr Speaker, Sir, the number of applications for registration, 18 institutions have submitted their applications for registration at post-secondary institutions since July 2005. The list is as follows-

- a. Arya Sabha Mauritius, Kurukshetra University;
- b. Centre for Legal and Business Studies, University of London;
- c. Education Trust –Doha Academy for Tertiary Studies, Khartoum International Institute of Arabic Language;
- d. Eastern Institute for Integrated Learning in Management



University (Mauritius Branch Campus), Eastern Institute for Integrated Learning in Management University, Sikkim India;  
e. JSS Academy, Vishvesvaraya Technological University;  
f. Ramnath Jeetah Trust, British Computer Society (BCS) UK;  
g. Roman Catholic Diocese of Port Louis (Bureau de l'Éducation Catholique), Australian Catholic University;  
h. Whitefield Business School Ltd, NCC Education, UK;  
i. Centre for Management & Research Ltd, (BIT), Birla Institute of Technology, Ranchi, India;  
j. Genetic Learning Research Centre Ltd;  
k. Caymet India Ltd;  
l. Florence Nightingale Nursing College;  
m. Analysis Indian Ocean;  
n. Alliance Française;  
o. Shri Ramachandra Medical College and Research Centre;  
p. Institute for Business and Professional Studies Ltd (IBPS);  
q. Sup'CG; and  
r. National Institute of Fashion Technology – R.F.Gandhi A.K.T Ltd (NIFT).

With regard to part (b) of the question, out of the 18 applications, 8 have been approved and they are all of them joint ventures or partnership.

The list is as follows -

- (1) Arya Sabha Mauritius, Kurukshetra University;
- (2) Centre for Legal and Business Studies, University of London;
- (3) Education Trust –Doha Academy for Tertiary Studies, Khartoum International Institute of Arabic Language;
- (4) Eastern Institute for Integrated Learning in Management University (Mauritius Branch Campus), Eastern Institute for Integrated Learning in Management University, Sikkim India;
- (5) JSS Academy, Vishvesvaraya Technological University;
- (6) Ramnath Jeetah Trust, British Computer Society (BCS) UK;
- (7) Roman Catholic Diocese of Port Louis (Bureau de L'Éducation Catholique), Australian Catholic University; and
- (8) Whitefield Business School Ltd, NCC Education, UK.

With regard to part (c), the EIILM University, Sikkim, has set up a branch in Mauritius which is based at Ebene Cybercity premises under the Ramnath Jeetah Trust with the appellation of Eastern Institute of Integrated Learning in Mauritius (EIILM), (Mauritius Branch Campus). Similar courses to those offered by the parent institution will be offered and awarded in Mauritius. The project was approved by my Ministry on 15 February 2007.

The launching ceremony for the EIILM was held on 10 May 2007. On 12 June 2007, TEC advised the EIILM to remove the billboards advertising for the courses offered which have not yet been accredited. The TEC Board will be apprised of the matter at its next Board meeting to be held on 31 July 2007.

With regard to part (d) of the question, an application for the establishment of a private nursing school to be known as the British American Academy of Nursing in Mauritius has been received at my Ministry yesterday. The Academy of Nursing will provide the nursing manpower to the new Apollo Bramwell Hospital as well as other Health Care providers in Mauritius and elsewhere. The matter has been referred to TEC for consideration.

The application for the setting up of the Nightingale Nursing College (to be known as Lady Sushil Ramgoolam School of Nursing Health Sciences & Paramedics) was referred to my Ministry in March 2006 by Board of Investment. My Ministry supports the application subject to clinical facilities being obtained in Government Hospitals. We have now been informed that the Ministry of Health has agreed to the provision of clinical training facilities for 100 students annually. The matter will now be referred to TEC for registration and accreditation. Project proposal was submitted to the Ministry in September 2005, but no formal application has been received from the Institute of Technology and Medical Sciences for registration and programme accreditation.

However, I understand that they are awaiting for clearance from the Nursing Council of Mauritius to proceed further.

**Mr Bodha:** Mr Speaker, Sir, all my questions will relate to the approval of the EIILM University in Mauritius. May I ask the hon. Minister when and where the EIILM Centre University created a branch campus in Mauritius and whether it is approved by the University Grants Commission of India, which is the apex autonomous body of the Government of India, providing recognition to the Indian Universities under an Act of Parliament?

**Mr Gokhool:** As I mentioned in my reply, Mr Speaker, Sir, the project was approved by my Ministry on 15 February 2007. The launching ceremony was on the 10 May 2007 and it has started its operation. As regards the specific point raised by the hon. Leader of the Opposition, TEC is the agency to verify whether the institution is in order in India. From the information I have received, such is the case as at now.

**Mr Bodha:** Mr Speaker, Sir, may I inform the House that EIILM of Sikkim University was created in April 2006 as a State University and not recognised by the UGC in India? My second question, Mr Speaker, Sir, is: whether the EIILM of Sikkim University is a member of the association of Indian Universities?

**Mr Gokhool:** Coming back to the first point that the Leader of the Opposition made, as I said, Mr Speaker, Sir, it is for TEC to verify that the institution does not have any problem with regard to its application. From the information provided to me by TEC, this is the case, and what the Leader of the Opposition is saying, that is his opinion. I leave it to that.

**Mr Gokhool:** With regard to whether it is affiliated, I do not have the information at present. I can check it.

**Mr Bodha:** Mr Speaker, Sir, is the hon. Minister aware that on 19 April 2007, his Permanent Secretary held a meeting over the recognition of this University?

**Mr Gokhool:** Mr Speaker, Sir, my Ministry is overall responsible for the education sector and the education reforms. Whenever there are clarifications to be sought, we have the authority to call for information and the meeting that the hon. Leader of the Opposition is referring to is part of the normal process of calling officers and requiring precise information. This is the responsibility of my Ministry.

*(Interruptions)*

**Mr Speaker:** Order, please!

**Mr Bodha:** Mr Speaker, Sir, may I inform the House that the University ...

*(Interruptions)*

**Mr Speaker:** The hon. Leader of the Opposition has to put it in questions' form.

**Mr Bodha:** Mr Speaker, Sir, this is because the hon. Minister is not answering the question for me to proceed. May I ask him whether under Section 3 of the UGC Act in India which governs all universities, a private university can start an offshore campus after one year of existence? May I ask him this question because I have the UGC regulations here?

**Mr Gokhool:** I have to come back to the second part of the question of the hon. Leader of the Opposition because I think it is not fair to make certain allegations with regard to officers of my Ministry. They are doing their job.

*(Interruptions)*

**Mr Speaker:** To be fair to the Leader of the Opposition, he has not made any allegation.

*(Interruptions)*

Order!

**Mr Gokhool:** Mr Speaker, Sir, I still want to clarify one point. My supervising officer is entitled to call for information. And this is what I have said. Coming back to the point as to section 3 of the UGC Act is being complied with, let me inform the hon. Leader of the Opposition that this institution did not apply to set up a university in Mauritius.

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Gokhool:** It only asks to set up a branch, and I have mentioned in my main reply that the application was ...

*(Interruptions)*

Listen at least! It is very important. They asked for setting up a branch campus and not a university.

**Mr Bodha:** Mr Speaker, Sir, on this question of branch campus, under section 3(3) of the UGC, I have the case here where a university was set up in India by a State Parliament and which was quashed by the Supreme Court of India. It is the case of Professor Yashpal v.s State of Chattisgarh. I will read it later. Section 3(3) of the UGC Act which governs all universities, reads as follows –

“A private university established under a State Act (...)”

Just as it was for the case of Sikkim.

“(...) shall operate ordinarily within the boundary of the State concerned. However, after the development of the main campus, in exceptional circumstances, the university may be permitted to open off-campus centres, off-shore campuses and study centres (...)”

Like the one in Mauritius.

“(...) after five years after its coming into existence, subject to the

following conditions(...)  
And the condition is –

“The off-campus centre(s) and/or the study centre(s) shall be set up with prior approval of the UGC (...).”  
They never got the approval of neither the centre nor that of the State Government.

*(Interruptions)*

**Mr Speaker:** Can the hon. Leader of the Opposition put the question now?

**Mr Bodha:** Mr Speaker, Sir, may I ask him whether he had the approval of the UGC to start the off-shore campus in Mauritius?

**Mr Gokhool:** I don't think we need the approval of the UGC.

*(Interruptions)*

**Mr Speaker:** Order, please!

**Mr Gokhool:** What TEC usually does is to check information, but not to seek approval. It is TEC which is the approving body. We don't have to seek approval of UGC. We have to get the information from UGC in processing the application for registration and accreditation.

**Mr Speaker:** Order! Order!

**Mr Bodha:** Mr Speaker, Sir, let me tell the hon. Minister what the Supreme Court says about the case, because the Act establishes that offshore campus. It says –  
“In view of Article 245 (1)

What they have done is illegal in India and illegal here, Mr Speaker, Sir!

**Mr Speaker:** Can the hon. Leader of the Opposition put his question?

**Mr Bodha:** Is the hon. Minister aware that under Article 245 of the Constitution of India, the National Parliament, Lok Sabha, alone is competent to make laws for the whole or part of the territory of India and for the Legislature of the State to make laws for part of the State. The University EIILM in Sikkim has jurisdiction only in Sikkim, not even in all India. The

Act I am referring to addressed a campus which was created by the Chattisgarh University. The Supreme Court ruling says -

“The impugned Act which specifically makes a provision enabling a University to have an off-campus centre outside the State is clearly beyond the legislative competence of the Chattisgarh legislature.”

It becomes a matter for the nation, Mr Speaker, Sir. First of all, is the hon. Minister aware that the university had jurisdiction only in Sikkim? Secondly, it had no jurisdiction to start an offshore campus in Mauritius?

**Mr Gokhool:** Mr Speaker, Sir, as far as the matter being raised, Mauritius is a sovereign State as is India.

*(Interruptions)*

**Mr Speaker:** Order! Order, please!

**Mr Gokhool:** Mr Speaker, Sir, I have in my hand ...

*(Interruptions)*

Of course! This is what we are aiming at!

**Mr Speaker:** Can the hon. Minister address the Chair, please?

**Mr Gokhool:** Mr Speaker, Sir, I have a copy of the criteria, the guidance and procedures for applicants ...

*(Interruptions)*

The Leader of the Opposition should not make such remarks!

*(Interruptions)*

**Mr Speaker:** Order! Order, please! The hon. Leader of the Opposition has put a question and he is disturbing the hon. Minister. Order! Let him answer the question! Order! Address the Chair, please!

**Mr Gokhool:** Mr Speaker, Sir, as I said in my main reply, TEC has been created by an Act of Parliament. It is the agency to consider applications, registration and programme accreditation. And we have



criteria, the guidance and procedures for applicants, private institutions offering both post secondary courses for the grant of university title or other appellations. This is available on the website; it can be consulted. I lay a copy of the document on the Table of the Assembly. TEC processes applications which have been submitted to it and it takes into account all the information which is provided by the applicant. The application which has been submitted to TEC has been examined by TEC and the Board of TEC. According to them, this is a recognised university, and has met all the criteria. That is why it has been awarded the Mauritius Branch campus status.

**Mr Bodha:** Mr Speaker, Sir, it is a very serious scandal. If we look at a picture shown in an advertisement, Mr Speaker, Sir, we can see Eastern University on a board ...

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Bodha:** ... near the building, Mr Speaker, Sir, and this was not supposed to be done. May I ask the hon. Minister on what TEC based itself to say that the application was a correct one and that the Sikkim University was a recognised institution for tertiary education?

**Mr Gokhool:** Mr Speaker, Sir, as I have said, there is a document which lays out the criteria, guidance and procedures. This is used by TEC to process applications. The TEC based itself on the information provided by Sikkim, the Eastern Institute for Integrated Learning in Management University. And one of the documents, which was provided to TEC says that the following Act of Sikkim Legislative Assembly, having received assent of the governor in published or general information, the Eastern Instituted for Integrated Learning in Management University of Sikkim Act 2006, authorises the university to operate in India and this document has been submitted to TEC. As far as TEC is concerned, the applicant has fulfilled the requirement as laid down in the criteria and procedures.

**Mr Bodha:** Mr Speaker, Sir, is the Minister aware that the Board which met on 03 May relied on a letter of Mrs Bhatnagar from the Ministry of Human Resources where an officer at the High Commission of Mauritius gave a phone call to ask whether the University could have an alliance with the Institute in Mauritius. The Board papers says that the decision to give this University the possibility to operate in Mauritius was based only on those communications received by the High Commission in Mauritius and

the Ministry of Human Resources and Development. It was based only on a phone call. Is the hon. Minister aware of this?

**Mr Gokhool:** Mr Speaker, Sir, the Leader of the Opposition must be in a mood to joke about this serious matter. Is he saying that TEC received a phone call and processed? What is he saying? Is he in his right frame of mind? The Leader of the Opposition should have read this document which is available on website. He must do his homework before he comes to Parliament. The procedures are so meticulous. I am even being asked why, as Minister, I am being so meticulous. I have to be meticulous because it is a matter of quality and standard and that is why I am ensuring that everything that is processed, is done according to the procedures which have been established. I am saying to the Assembly today, Mr Speaker, Sir, that, as Minister of Education and Human Resources, I am duty bound to ensure quality and high standard. I am not going to make any concession on that.

**Mr Bodha:** Mr Speaker, Sir, may I, for the enlightenment of the hon. Minister, read the Board paper, paragraph 16, which was published on 27 April, 2007 -

“On 19 April, 2007, a copy of the letter by the Head of Mission of Mauritius High Commission in India stating that Mrs Bhatnagar has confirmed over the phone that by virtue of the EIILM being established by a State legislation passed by the Sikkim legislative, the EIILM does not require the recognition of the Central Government of India’.

This is not true, Mr Speaker, Sir!

Mr Speaker: The hon. Leader of the Opposition has put the question. Is the hon. Minister aware of this?

**Mr Bodha:** I am asking whether he is aware of this.

**Mr Speaker:** The Leader of the Opposition is commenting on his question.

**Mr Gokhool:** I do not have to agree with the opinion of the Leader of the Opposition; it is his opinion.

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Gokhool:** Mr Speaker, Sir, I think the Leader of the Opposition should be serious. What he is trying to tell the House and the nation is that a phone call can make the case for the University. This is totally incorrect and I take strong objections to what the Leader of the Opposition has said.

**Mr Bodha:** Is the hon. Minister aware that in the Board paper, it was the Ministry of Human Resource in India being the supreme body and Mrs Bhatnagar's word being the supreme word which allowed them to give the registration? Mr Speaker, Sir, may I ask the hon. Minister one thing? Did the Chairman of UGC come to Mauritius and visited TEC? Did TEC raise the matter with the Chairman of UGC? May I ask him?

**Mr Gokhool:** But the whole basis of the question of the Leader of the Opposition is that we should have sought the authorisation.

**Mr Bodha:** Of course!

**Mr Gokhool:** We do not have to. What we need to do is to ensure that all the documents and papers which are submitted complied with the criteria and guidelines. As I have said, they have submitted all the papers. I do not see the need for TEC to query the UGC visitors about this matter. If a problem has been raised with TEC, it will take it up. At that point in time, there is no such matter because the documents and papers submitted with the application have been considered and found to be appropriate as per the requirements of TEC. This is why the application has been processed. But one thing has to be clarified, Mr Speaker, Sir, because it may lead to confusion. What has been done by TEC is to process an application for a branch and not for a university. It is just a branch.

**Mr Bodha:** Mr Speaker, Sir, is he aware that the TEC officers did raise the matter with the Chairman of UGC who told them that they cannot have an offshore campus without the UGC approval. Is he aware of this? It is in the Board Paper!

**Mr Gokhool:** I met the visitors from UGC and I am sure TEC has met the people from UGC because they came in the context of signing an MoU with TEC. I am not aware whether they raised this specific matter.

*(Interruptions)*

I am not aware and from the information I have, I do not think there is any need to raise the matter.

**Mr Bodha:** Mr Speaker, Sir, may I ask him whether he is aware that at paragraph 12 of the Board paper again, it is said that during the visit of the delegation, the Chairman of the UGC informed verbally that for a private university to set up outside India, it has to meet UGC regulations 2003.

**Mr Gokhool:** The Leader of the Opposition has asked this question and I have answered. Whatever UGC regulations prevail in India, I believe the TEC has to consider all papers and documents submitted and this is part of the process. If there is a specific issue, then this may be raised with UGC, but in this case, there was no need.

**Mr Bodha:** Mr Speaker, Sir, may I ask the hon. Minister what will be the status of the examinations and degrees which are going to be allocated here in Mauritius?

**Mr Gokhool:** Mr Speaker, Sir, if the Leader of the Opposition has listened carefully, I mentioned that TEC has the authority to register and for programme accreditation. This is what I said in my reply. When the Mauritius Branch Campus advertised, there is one programme which has been accredited. They did advertise several programmes and the attention had been drawn that these programmes have first to be accredited and then to be offered and they have complied with this requirement of TEC.

**Mr Speaker:** There are three minutes left.

**Mr Bodha:** Mr Speaker, Sir, there was a sub committee which was set up at the end of December and the application was received on 12 December. Can I ask the hon. Minister whether there was a recommendation then that this application cannot be considered unless they have the UGC approval?

**Mr Gokhool:** I do not have this information.

**Mr Bodha:** Mr Speaker, Sir, is he aware that in the Board paper of the 08 February that condition was removed?

**Mr Gokhool:** If the Leader of the Opposition is mentioning it, in all fairness, I have to check the information.

**Mr Ganoo:** Mr Speaker, Sir, will the hon. Minister give a guarantee to the House, to the nation and especially to the students of poor origin that the degree awarded will be recognised in India and at international level?

*(Interruptions)*

**Mr Speaker:** Order! Order!

**Mr Gokhool:** The one programme for which students have registered is accredited and recognized whereas the process is ongoing for the other programmes. We are aware of the problem of students going abroad and their degrees are not recognized when they come back. That's why we are taking precautions. We are very, very strict on that. We want to ensure that students who leave for overseas don't have these problems when they come back. Monitoring is being done at my Ministry on that issue.

**Mrs Hanoomanjee:** The hon. Minister just said that TEC has the responsibility to register, and of programme accreditation, and he doesn't seem to be aware of some Board's decisions. Can I ask the hon. Minister whether there is a high official of his Ministry who sits on TEC Board and whether he is being regularly briefed on matters of the Board?

**Mr Gokhool:** I don't think I will agree with the insinuation of the hon. lady that I am not aware.

*(Interruptions)*

In fact, after every Board meeting, my officer comes to my office and briefs me. I am fully briefed of what happens in the meeting.

*(Interruptions)*

**Mr Speaker:** Order! Order!

**Mrs Dookun-Luchoomun:** Since Eastern Institute for Integrated Learning, as the hon. Minister has been saying, is not a University, would he make sure that it is not advertised on papers, billboards and TV as 'Eastern University', so that our students do not get misled, Mr Speaker, Sir?

**Mr Gokhool:** I concede to what the hon. Member said. This is a fair remark. I called people to my office and I did speak to them. In fact, I thought that this billboard could be misleading. They are taking action.

**Mr Speaker:** A last question from the hon. Leader of the Opposition!

**Mr Bodha:** Mr Speaker, Sir, in view of all that have been said in this

House today, may I ask the hon. Minister whether the EIILM Branch in Mauritius should not be deregistered and whether there should not be a Fact-Finding Committee to enquire into the whole matter and appropriate measures taken?

*(Interruptions)*

**Mr Gokhool:** This is the example of negative minds at work.

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Gokhool:** This is a concrete example! Mr Speaker, Sir, we are trying our best to project Mauritius as a knowledge hub, a centre of learning and ...

*(Interruptions)*

**Mr Speaker:** Order! Order!

**Mr Gokhool:** ...the hon. Leader of the Opposition is speaking about deregistration when all the conditions have been met.

**Mr Speaker:** Time is over! The Table has been advised that PQ. Nos. B/824 and B/825 addressed to the hon. Prime Minister have been withdrawn. Questions addressed to the hon. Prime Minister!



PNQ

## ORAL ANSWERS TO QUESTIONS

EASTERN INSTITUTE FOR INTEGRATED LEARNING IN  
MANAGEMENT (EILM) – MAURITIUS BRANCH CAMPUS

**The Leader of the Opposition (Mr N. Bodha):** *(By Private Notice)* asked the Minister of Education & Human Resources whether, in regard to the registration of a Branch Campus of the Eastern Institute of Integrated Learning Management University, Sikkim (EILM), in Mauritius, he will, for the benefit of the House, obtain from the Tertiary Education Commission, Information as to –

- (a) the status of the University as set by the appropriate accrediting body in the country of origin, indicating the courses offered and the qualifications awarded so far and their recognition by the University Grants Commission of India; and
- (b) the courses accredited by the Tertiary Education Commission for the Branch Campus and the recognition of the qualifications to be awarded to those already enrolled.

**Mr Gokhool:** Mr Speaker Sir, with your permission, I'll answer the PNQ and also PQ No. B/934 as it relates to the same issue and I am prepared to answer supplementary questions relating to this question.

Mr Speaker, Sir, as indicated in my reply to the PNQ of the Leader of the Opposition on Tuesday 24 July 2007, it is the policy of the Government, as part of the ongoing education reform program, to increase access to tertiary education.

As, also indicated in the National Human Resource Development Plan, highly trained and educated manpower is the single most important condition for the country's transition to a knowledge based society. The present unemployment profile in the country is such, that only 5.5% of the unemployed have tertiary education while the newly emerging sectors in the economy, including amongst others Finance, ICT, Manufacturing, Tourism, the Knowledge-Hub, the Land-Based Oceanic Industry and, the Agro Industry require a manpower profile with a high academic/professional background. The nation's Human Resource Development Plan clearly indicates, that over the coming years the above sectors will require around 11,000 trained personnel at tertiary and professional levels

m1/d27p01.02  
(PNQ cid/...)

As also indicated, the Gross Tertiary Enrolment ratio, that is, the percentage of people in the age group 20-24, enrolled in tertiary education, is on the increase from 26,074 in 2004 to an expected 35,000 in 2007. From an increase of 24% in 2004, it is estimated to reach 40% in 2010.

The Tertiary Education Commission is the agency set up by Government and has as objects to promote, plan, develop and coordinate post-secondary education in Mauritius and to implement an overarching regulatory framework to achieve high international standard.

Education development should, therefore, be viewed as a national priority and as true patriots, we must not do anything that may jeopardize the future of this sector in particular in relation to countries who have supported the development of Mauritius.

Mr Speaker, Sir, with regard to part (a) of the question, every university has its own internal mechanism, that is, its senate or a similar organ which accredit the programmes. In some cases, an institution may require an external body. In the case of EILM, it can confer its own degree, it can approve its own programme. In other words, it has its own accreditation system. It is confirmed by sections 22 and 23 of the UGC Act, which, with your permission, I will quote, Mr Speaker, Sir.

Section 22 - Right to confer degrees –

“The right of conferring or granting degree shall be exercised only by a University established or incorporated by or under a central Act, a Provincial Act or a State Act or an institution deemed to be a University under section 3 or an institution specially empowered by an Act of Parliament to confer or grant degrees.”

**SC/D27/P02/01  
(PNQ Contd.)**

It is important to note that in view of section 22 of the UGC Act -

“The right of conferring or granting degrees shall be exercised only by a University or an institution deemed to be a University under section 3 or an institution specially empowered by an Act of Parliament to confer or grant degrees.”

What is a degree and what it connotes is not given in the UGC Act, but the meaning of the word was given in dictionaries and standard books.

Mr Speaker, Sir, from its inception, Eastern Institute for Integrated Learning in Management (EILM) had run the Postgraduate Diploma in Business Management (PGDBM) approved by All India Council of Technical Education, Government of India. The Institute started offering MBA programs under Visva Bharati, a Central University since 1999. EILM got the status of ‘Constituents College of Visva Bharati’. Visva Bharati had involved EILM faculty representatives on its “Board of studies”; the examination papers were set and evaluated also by different faculty members of EILM. EILM carries the legacy of having conducted the University of Bradford’s BBA (Honors) program for one full-term (1998-2001). Proving the credentials of world-class learning environment, a student at EILM campus secured the highest position (gold medal) among all the students. EILM has a history of achieving global quality standards through: EQUIS (European Quality Certification for University Education), reciprocal acceptance of academic standard by University of Bradford, UK and AICTE, Government of India at the same time. The faculty EILM enjoys wide acceptance in the national and international academic community.

By way of example, let me state that before becoming a University in Mauritius, the University of Mauritius was operating as a College of Agriculture. The same pattern is being used by DCDM, UTM (which was previously MIPAM and SITRAC). This trend is worldwide. This is a developmental process in the tertiary education sector.

EILM, Sikkim, does not require recognition by UGC in line with its Act and I quote the latest judgement -



**SC/D27/P02/02  
(PNQ Contd.)**

“A full-fledged State government recognised University under Amity University, Uttar Pradesh Act of 2005, the varsity till now had escaped university status under the UGC Act, much to the detriment of students.

The Delhi High Court directed the UGC to include the varsity’s name in the universities listed on its website. It ruled that institutions “incorporated or established” by a Central, State or Provincial law as a “university” are independent of official recognition or approval by the Commission.

The ruling from the Court came on a petition filed by Amity University challenging its non-inclusion in the website listing state-wise the number of recognised universities imparting higher education in the country.”

This is the judgment -

“I find that there is no provision either in the UGC Act or in the regulations which require a recognition/approval of the UGC before a University is regarded as one under the Act.”

Mr Speaker, Sir, there are some 45 undergraduate and postgraduate courses offered in thirteen different fields. There are no qualification awarded so far and it has *de facto* recognition by virtue of being set up by an Act of Parliament and there is the academic guide to study EIILM University where all the programs that the University proposes to offer is provided. There are 13 departments and this is the document which exists to guide the students.

As regards paragraph (b) of the question, a similar question, as I mentioned earlier, has been put and I am going to answer that. I am providing the following information –

The Institution, that is, the Mauritius Branch Campus has advertised for the following seven courses –

**SC/D27/P02/03  
(PNQ Contd.)**

Bachelor in Business Administration  
Master in Business Administration  
Bachelor of Computer Application  
BA Journalism & Mass Communication  
BA Advertising & Mass Communication  
BA Hospitality Management  
BA Fashion Marketing & Promotion.

However, it is to be noted that only one programme was submitted for accreditation, namely, Bachelor in Business Administration and to date this has been accredited. Six other programmes namely, Master in Business Administration, Bachelor Computer Application, BA Journalism & Mass Communication, BA Advertising & Mass Communication, BA Hospitality Management, BA Fashion Marketing & Promotion was submitted to TEC for accreditation and are currently under process for accreditation.

As pointed out earlier, the courses at Sikkim are self accredited by virtue of its being set up by an Act of Parliament. However, our framework here requires that they be accredited by TEC as well. This process is under way.

As regards the recognition of the qualification, it is to be noted that no one has been enrolled to date, but applications have been received. For those who will be enrolled on the Bachelor of Business Administration Course (which has already been accredited by TEC), the degree is already recognised by virtue of being already accredited by TEC.

Thank you, Mr Speaker, Sir.

**SC/D27/P02/04  
(PNQ Contd.)**

**Mr Bodha:** Mr Speaker, Sir, I thank the hon. Minister for the answer. In view of the fact that we are upholding the authority of the apex body of Tertiary Education in India whether - the hon. Minister has cited the UGC Act - he will agree with me that under section 2 (f) of that Act and I quote -

“University” means a University established or incorporated by or under a central Act, a Provincial Act or a State Act, and includes any institution as may, in consultation with the University concerned, be recognised by the Commission in accordance with the regulations made in this behalf under this Act.”

My first question is whether he will agree with that definition of University, that is, section 2 (f)?

**Mr Gokhool:** Mr Speaker, Sir, I don't have a legal background, but I will try to answer this question. I think the Leader of the Opposition is right to refer to the Act, but I have also referred to a judgment in Court which has given interpretation to the Act whereby it says this is not required. I am going by the judgment which is the latest one.

**Mr Bodha:** Mr Speaker, Sir, in view of the fact that the hon. Minister has cited section 22(1) –

“On conferment of a degree (...)”

He is right. But he has to cite section 22(3) because he mentioned that “degree” is a degree as per dictionary meaning, but the Act itself, Mr Speaker, Sir, defines “degree”. May I ask him whether he is aware that section 22(3) says –

“For the purposes (...)”

He has been misled in the answer.



**SC/D27/P02/05**  
**(PNQ Contd.)**

“For the purposes of this section, “degree” means any such degree as may, with the previous approval of the Central Government, be specified in this behalf by the Commission by notification in the official Gazette.”

That is the official Gazette of India. That is the definition of the “degree”. Will he agree with me?

**Mr Gokhool:** Mr Speaker, Sir, as I said in my main reply, the University (EIILM) Sikkim has been created by an Act of Parliament of the State and I have already indicated that there is no need for the institution to be recognised, because it has got its own laws; and, secondly, I have here the authority from the apex Ministry. The Leader of the Opposition is referring to the apex Commission. I am going to refer to the apex Ministry which looks after higher education in India. I quote the communication which has been addressed to TEC –

“Higher education, being in the concurrent list both the central as well as State Government, are empowered to establish universities.”

But, in this case, it is simply a branch; it is not yet a university.

**Mr Speaker:** Can I remind the hon. Minister that when he is quoting from documents he has to lay these on the Table of the House?

**Mr Bodha:** Mr Speaker, Sir, is the hon. Minister aware that in the regulations of TEC, section 4 (d) says –

“In the case of an overseas applicant, documentary evidence certifying that –

(i) the parent institution operates lawfully as a University or deemed University and is accredited by the appropriate accrediting body and is reckoned to be a brand name institution in the country of origin;”

My question is whether the EIILM Sikkim qualifies under this regulation of TEC?

**D27P03CO1**  
**PNQ (contd)**

**Mr Gokhool:** Mr Speaker, Sir, as I answered in my PNQ last week, the criteria and procedures for TEC are well laid down and any applicant must ensure that it satisfies them. These have been satisfied. If there is any problem between EIILM and UGC, this has to be sorted out between them, but for our purpose, EIILM should satisfy all the conditions laid out. Should EIILM not satisfy or if there is information to the contrary, then TEC can act because the registration is not given indefinitely. There is a timeframe which is given and if there is any information contrary to what is required, then, TEC will have to assume its responsibility.

**Mr Bodha:** Mr Speaker, Sir, the hon. Minister has referred to section 2 (f). May I ask him whether there was a letter sent to UGC in India dated 26 January 2005, addressed to Dr. Teeluck Ken, Secretary, UGC on the subject of Eastern Institute of Integrated Learning Management University, Sikkim, and whether he has been made aware of the answer of the UGC which was sent to me this morning by fax? May I ask him whether he is aware that there was a written letter by TEC regarding UGC?

**Mr Gokhool:** Mr Speaker, Sir, with regard to the processing of application, TEC can seek information. It does not need to have the green light. It has to satisfy itself that all the information are provided so that the application can be processed. TEC may seek information not only from UGC, but from other universities as well, because it has to satisfy that the conditions are being complied.

**Mr Bodha:** Mr Speaker, Sir, as the hon. Minister has not answered my question, to enlighten the House may I read what the undersecretary of UGC has written on 18 March—

“Kindly refer to our email 26 January. In this regard I am directed to inform you that the Eastern Institute of Integrated Learning Management University, Sikkim, is not included in the list of universities under section 2 (f) of the UGC Act 1958.”

May I lay this on the Table, Mr Speaker, Sir?

*(Interruptions)*

**D27P03CO2**  
**PNQ (contd)**

This is a document sent by the UGC to TEC. May I ask why the TEC Board members have not been notified of this document, Mr Speaker, Sir, which dates back to March? We know that on the Board paper of 07 April, there is one paragraph saying that a recommendation is being put in abeyance until the answer of UGC. May I know whether he has this document, Mr Speaker, Sir?

**Mr Gokhool:** Mr Speaker, Sir, the Leader of the Opposition is referring to a letter. I am sure he is having a lot of information; we know how this is happening.

*(Interruptions)*

As I said, this is a serious matter and I just mentioned that TEC is duty bound to seek information. I am aware of the letter which the hon. Leader of the Opposition is referring to. That is why I am saying ..

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Gokhool:** Mr Speaker, Sir, I think I have answered the question of the hon. Leader of the Opposition. I think the way a Board operates is very simple. The Chairman decides on the agenda and the Secretary of the Board ensures that all documents are laid down.. It is not necessary that all the documents go to the Board. The Board has to be ....

*(Interruptions)*

Mr Speaker, Sir, The Board is provided with all the information that is available and, on that basis, the application is processed.

**Mr Bodha:** Mr Speaker, Sir, a lot has been said about the relationship between UGC and TEC. May I lay on the Table of the Assembly an agreement, which is a MoU, signed between the TEC and the University Grants Commission on 18 April 2007? When the UGC Chairman came to Mauritius on a visit between 15 and 19, Mr Speaker, Sir, do you know what is said there? First of all...

**Mr Speaker:** Can I request the hon. Leader of the Opposition to put it in the form of a question?

**Mr Bodha:** Mr Speaker, Sir, is he aware of the following ...

*(Interruptions)*



**D27P03CO3**  
**PNQ (contd)**

**Mr Speaker:** Order! Order!

**Mr Bodha:** In this Memorandum, is he aware that the University Grants Commission – it is said that it is an agreement between TEC and UGC - is set up under the UGC Act 1956 and is responsible for providing funds, coordination and determination and maintenance of standards in institutions of higher education in India? This was signed in Mauritius. May I ask him whether he is aware of two beautiful paragraphs, Mr Speaker, Sir? First, paragraph 9 reads as follows –

“Mutual recognition of qualifications and equivalence of qualifications. Both parties commit themselves to collaborate on issues pertaining to recognition and equivalence of qualifications according to the rules and procedures in their respective countries.”

That is, in India and in Mauritius. But paragraph 10 is even better. It relates, Mr Speaker, Sir, to the registration and recognition of institutions and accreditation of programmes - that is why I framed the Private Notice Question as I did and it says, Mr Speaker, Sir –

“Both parties commit themselves to collaborate on issues pertaining to registration, recognition of institutions and accreditation programme according to the rules and procedures of the respective countries.”

Mr Speaker, Sir, this was signed on 18 and flouted on 03 May. May I ask him whether he is aware of all this?

**Mr Gokhool:** In fact, when the UGC delegation came, I met them. It was MoU with regard to staff development and other issues ....

*(Interruptions)*

**Mr Bodha:** May I lay this document on the Table?

**Mr Gokhool:** Mr Speaker, Sir, he is referring to ...

*(Interruptions)*

**Mr Speaker:** Let the Minister answer! Order!

**D27P03CO4**  
**PNQ (contd)**

**Mr Gokhool:** Mr Speaker, Sir, he is referring to paragraphs 9 and 10 which relate to intentions that there should be mutual recognition. As I indicated in the first part of my reply, the EIILM, Sikkim, is created by Act of Parliament. I have already said in my main reply that there is no need for it to apply for recognition. Let me also inform the House that EIILM has applied to UGC; it does not need to, but just like we accredit a programme and once the programme is accredited, we do not have to seek the recognition of EIILM, because we have our own mechanism to accredit the programme. Similarly, EIILM may apply to accredit its programme with UGC, but it is not really necessary, because it is a university by itself; it has got its internal mechanism for accreditation.

*(Interruptions)*

**Mr Speaker:** Order! Order!

D27/P04/mt/1

**(pnq) contd.**

*(Interruptions)*

**Mr Speaker:** Order! Order!

**Mr Bodha:** Mr Speaker, Sir, as the hon. Minister cited a case in the High Court of India, may I ask him whether he is aware of another case in the Supreme Court of India, which is the writ petition, No. 19 of 2004, which establishes the supremacy of Indian Parliament over State legislation. Is the hon. Minister aware that in the Regulation it is said that “all the regulations shall apply (...)”

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Bodha:** ...”(....) to every private university established by, or incorporated, under a State Act before, or after, the commencement of these regulations 2003”? Is he aware of this, Mr Speaker, Sir?

**Mr Gokhool:** Mr Speaker, Sir, these are Acts which are made in the Indian context....

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Gokhool:** Is the hon. Leader of the Opposition implying that TEC or any other institution created by the Act of Parliament in Mauritius should seek the approval, or the green light, of another institution in another country?

*(Interruptions)*

This is not the case! But, there are arrangements at the level of TEC to ensure that all conditions are being complied, and if the conditions are not being complied...

*(Interruptions)*

**Mr Speaker:** Order!

D27/P04/mt/2

**(pnq) contd.**

**Mr Gokhool:** Mr Speaker, Sir, I have here from the website of UGC – I'll lay a copy on the Table of the Assembly – the list of universities which are considered not to be registered or approved by UGC, but EIILM does not appear on that list. What is accreditation? It means that university starts operation, it has got its Senate; it develops its programme and accredits the programme. Accreditation means recognition.

EIILM has recognized its programme; TEC has accredited one programme which means recognition...

*(Interruptions)*

**Mr Speaker:** Order! Order!

**Mr Gokhool:** The fact of the matter is that TEC has recognized one programme and that recognition holds.

**Mr Bodha:** Mr Speaker, Sir, as the Act of Parliament which created the EIILM, in Sikkim, was passed in April 2006, may I ask the hon. Minister whether there were any courses at that University of Sikkim for the academic year 2006-2007?

**Mr Gokhool:** Mr Speaker, Sir, as I have mentioned, 13 courses are being run. Otherwise, there is a whole list of programmes which the University proposes to run. Prior to that, as I have indicated in my reply, the university was an institution which was involved in tertiary education. That track record is taken into account and there are 13 courses which are offered at present.

**Mrs Hanoomanjee:** Mr Speaker, Sir, the hon. Minister has just said - and I believe this is serious - that TEC decided on the basis of information which was available at the time. Now that the hon. Minister has had additional information, can I ask him what he proposes to do?



D27/P04/mt/3

**(pnq) contd.**

**Mr Gokhool:** Mr Speaker, Sir, the information that is being provided by the hon. Leader of the Opposition is one side of the story.

*(Interruptions)*

He is referring to UGC, and now that the matter is a public issue, I think the onus and the responsibility is for UGC to ensure that ...

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Gokhool:** It is for UGC to ensure that the procedures have been followed, that all the conditions have been fulfilled and inform TEC...

*(Interruptions)*

**Mr Speaker:** Order! Order, please!

**Mr Gokhool:** Mr Speaker, Sir, on the basis of the exchange which is going on, of course, we are taking notes of the points raised by the hon. Leader of the Opposition, but I think the onus lies with UGC to take appropriate action in the light of the information which is available.

**Mr Mohamed:** Mr Speaker, Sir, I would like to ask the hon. Minister the following. Following the fact that the hon. Leader of the Opposition has referred to writ petition, Civil No. 19 of 2004 of the Supreme Court of India, whereby he refers to this judgment of having reaffirmed the supremacy of the National Parliament over the Provincial or State Parliament – most probably the Leader of the Opposition is referring to what he, in fact, stated last week.

And I quote what he said last week from the Hansard –

“The Supreme Court ruling says –

The impugned Act which specifically makes provision enabling a University to have an off-campus centre outside the State is clearly beyond the legislative competence of the Chattisgarh legislature.”



D27/P04/mt/4

**(pnq) contd.**

This is what was said by the hon. Leader of the Opposition last week. And, is he aware that this judgment, which is in my hand, Mr Speaker, Sir, never says, anywhere in there that those are the words of the Supreme Court of India. In fact, and in truth, those are the words, as stated in paragraph 41, at page 65 of the judgment which Dr. Dhawan made to the Court and were never the words of the Supreme Court of India and in so doing he has misled Parliament.....

*(Interruptions)*

**Mr Speaker:** Order! Order! Order, I said! I'll request the hon. Member to withdraw the words "misled Parliament".

**Mr Mohamed:** May I withdraw it ...

**Mr Speaker:** No, the hon. Member should withdraw it without any qualification. That is my ruling.

**Mr Mohamed:** I withdraw the word 'misled', but then ...

*(Interruptions)*

**Mr Speaker:** No! I am sorry! The hon. Member should withdraw purely and simply, unequivocally, and without any 'but'!

**Mr Mohamed:** I do that, Mr Speaker, Sir.

*(Interruptions)*

**Mr Speaker:** Order! Let the hon. Minister answer!

D27/P04/mt/5

**(pnq) contd.**

**Mr Gokhool:** Mr Speaker, Sir, I think the hon. Member is right in referring to ....

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Gokhool:** I am answering.

**Mr Speaker:** Hon. Minister, please address the Chair!

**Mr Gokhool:** Mr Speaker, Sir, I am aware and this is why I said in my main reply that on issues of such an importance we have to be careful in the way we provide information to the House. And that is why I think it is the duty of the hon. Leader of the Opposition to clarify the issue raised by hon. Mohamed.

*(Interruptions)*

**Mr Speaker:** The question is that a judgment has been cited on both sides of the House, including the hon. Minister. It is a matter of interpretation and, therefore, the question of misleading the House does not arise.

*(Interruptions)*

Order!

**Mr Gokhool:** I think it is very important in the context of the debate for the hon. Leader of the Opposition to clarify whether those were the words of the judge.

**Mr Speaker:** The hon. Minister cannot put questions to the hon. Leader of the Opposition.

D27/P04/mt/6

**(pnq) contd.**

**Mrs Dookun-Luchoomun:** Mr Speaker, Sir, may I ask the hon. Minister whether he does not consider that it is the responsibility of TEC to ensure that, whatever institution is set up here, in Mauritius, students get value for the money that they are going to spend on that?

**Mr Gokhool:** Mr Speaker, Sir, I think I'll refer the hon. Lady to the TEC Act and also to the Rules and Regulations of TEC as regards accreditation and I'll lay a copy of the document on the Table of the House. There is a whole set of procedures for accreditation and this is not the first time that TEC is accrediting programmes. TEC has been accrediting since it was created. The whole procedure is laid out precisely to safeguard the interests of the students.

**Mrs Dookun-Luchoomun:** It is clear, Mr Speaker, Sir, that TEC has failed to do so in this case. I would like to ask the hon. Minister whether he is going to see to it that TEC reviews the whole procedure so as to ensure that students are being given institutions of certain standards?

**Mr Gokhool:** As I have mentioned, Mr Speaker, Sir, there is a whole set of procedures laid out to ensure accreditation, that is, quality of programmes which are approved by TEC.

**Mr Bodha:** Mr Speaker, Sir, one course has been accredited in Mauritius. May I ask the hon. Minister whether the other applications are being considered by the TEC and how is it that the Chief Executive of the Branch Campus has stated in public, in advance, that he is sure that they are going to have accreditation for the five courses?

.../...

**DR/D27/P05/01**  
**(PNQ Cont'd)**

**Mr Gokhool:** Mr Speaker, Sir, I cannot answer for what the Chief Executive has said. But what I can say is that one course has been accredited, others are in process, but this is not the first time. The hon. Leader of the Opposition will notice that there are many institutions which advertise programmes while they have sent their documents for processing by TEC or MQA.

**Mr Bodha:** Mr Speaker, Sir, in view of all that has been said, may I ask the hon. Minister and the hon. Prime Minister whether a Commission of Inquiry should not be put on that matter to set records straight and to see whether the registration was valid or not, according to the law in Mauritius and in India?

**Mr Gokhool:** This is part of the typical demagogical strategy of the Opposition.

*(Interruptions)*

Mr Speaker, Sir, I said ....

*(Interruptions)*

**Mr Speaker:** Order! Hon. Soodhun, order, please!

**Mr Gokhool:** In my reply to the previous PNQ, I said that, as Minister responsible for Education and Human Resources, I have to ensure quality and today I am going a little further. I am telling it to the House. If the Leader of the Opposition or the Opposition can prove that anything wrong has been done by TEC, I am prepared to take my responsibility.

**Mr Speaker:** Time is over! The Table has been advised that Parliamentary Questions Nos. B/893 and B/894 addressed to Dr. the hon. Prime Minister have been withdrawn. Questions addressed to Dr. the hon. Prime Minister!

**EASTERN INSTITUTE FOR INTEGRATED LEARNING IN  
MANAGEMENT – ENROLMENT, COST, ETC. (31/07/07)**

**(No. B/934) Mrs L D. Dookun-Luchoomun (Third Member for La Caverne and Phoenix)** asked the Minister of Education and Human Resources whether, in regard to the courses offered by the Eastern Institute for Integrated Learning in Management University in Mauritius, he will, for the benefit of the House, obtain from the Tertiary Education Commission, information as to –

- (a) the number of students who have enrolled therefor;
- (b) the cost thereof, and
- (c) the body which will be awarding the certificates after the completion thereof.

*(Vide reply to PNQ)*

**EASTERN INSTITUTE FOR INTEGRATED LEARNING IN MANAGEMENT  
UNIVERSITY - MAURITIUS BRANCH CAMPUS (06/11/07)**

**(No. B/1056) Mr N. Bodha (First Member for Vacoas and Floreal)** asked the Minister of Education and Human Resources whether, in regard to the setting up of a Branch Campus of the Eastern University Sikkim in Mauritius, he will for the benefit of the House, obtain from the Tertiary Education Commission, information as the number of courses which have been accredited so far for the academic year 2007/2008 and the number of students enrolled thereat.

**Reply:** The question refers to Eastern University Sikkim. At the very outset, I would like to inform the House that there is no Branch Campus of the Eastern University Sikkim in Mauritius; Eastern University does not even exist in Sikkim, India.

The Tertiary Education Commission, which is the regulatory body responsible, *inter alia*, for the registration of private post secondary educational institutions and accreditation of their academic programmes, has registered only one Branch Campus to date and the name of that Branch Campus is “Eastern Institute for Integrated Learning in Management University, (Mauritius Branch Campus).”

I presume that the hon. Member is referring to that Branch Campus and in that case my reply is as follows –

I am informed by TEC that the Eastern Institute for Integrated Learning in Management University, (Mauritius Branch Campus) was registered by the Commission on 04 May, 2007. At the time of registration, it also granted provisional accreditation for the institution to run the Bachelor in Business Administration programme.

Subsequently, the Commission received an application for the accreditation of six

additional programmes. Out of those six programmes, the Commission has, after following a rigorous accreditation procedure, granted provisional accreditation subject to conditions for the following programmes –

- (i) BA Fashion Marketing and Promotion;
- (ii) Bachelor in Computer Applications; and
- (iii) BA Journalism and Mass Communication,

To date therefore, only four programmes have been provisionally accredited by the TEC to be run by the Eastern Institute for Integrated Learning in Management University (Mauritius Branch Campus). Depending on the outcome of follow up action by TEC, the provisional accreditation may be converted into full accreditation after one year.

At the time of application for accreditation, applications were received for programmes as follows –

<b>Programmes</b>	<b>Number of students</b>
Bachelor in Business Administration	76
BA Fashion Marketing and Promotion	10
Bachelor in Computer Applications	62
BA Journalism and Mass Communication	53

TEC has requested EIILM (Mauritius Branch Campus) to provide for the actual enrolment and I have been informed that up to now the relevant information has not been provided. I will impress upon TEC to follow up with the institution.