

ORAL ANSWER TO PRIVATE NOTICE QUESTION

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

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 off-shore 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!