



An Understanding Of The Legal Framework For Distance Education In India

Dr. Pawar Janardan Adinath^{1*}, Ms. Minakshee Nitin Raut²

^{1*}Research Guide, Indira College of Commerce and Science Pune.

²Research Scholar, Indira College of Commerce and Science Pune.

***Corresponding Author:** Dr. Pawar Janardan Adinath

**Research Guide, Indira College of Commerce and Science Pune.*

<i>Abstract</i>	
CC License CC-BY-NC-SA 4.0	<p>The legal status of distance education in India is a complex and evolving issue. But the Indian government has taken steps to regulate distance education, the laws and regulations governing it are still in flux. This article aims to provide a comprehensive overview of the legal status of distance education in India, outlining the regulations and laws that govern this form of education. It will also provide an overview of the advantages and disadvantages of distance education, as well as the potential risks associated with it. With this information, readers can make an informed Distance Education Conclusion about whether distance education is the right choice for them.</p> <p>Keywords: <i>Legal Framework, Distance Education.</i></p>

Introduction:

Distance education has become increasingly popular in India, with more and more students opting for this convenient and cost-effective option. However, many are hesitant for obtaining the Distance Education is legally permissible in India. The Distance Education Council has formulated guidelines for the conduct of distance education programmes, which include the provision of academic and administrative support services, quality assurance mechanisms, and students support services. The Regulation has also paved way for online delivery of courses and credit transfer. The Regulations also provide that in case of violation of the Regulation, the Commission may withdraw the recognition of the Institute.

Objective of the Study:

1. To understand the need and importance of legal framework of Distance Education in India.
2. To study the current legal framework regulating Distance Education in India.
3. To know and understand the current status of Distance Education in India.

Research Methodology:

The paper adopts a theoretic approach to achieving the above objective of the paper. For this paper various articles, reports, newspaper, pieces of research, magazines, websites and information on the internet have been studied.

Background of Open and Distance Learning:

Open and Distance Learning in India was introduced in 1962 by Delhi University through the School of Correspondence Courses and Continuing Education to allow those who had the leaning and skill to acquire further knowledge, advancement and improvement their professional skill. Next in 1968, Punjabi University and University of Rajasthan were started Correspondence Courses. Meerut and Mysore University started in 1969.

In the eighties, the distance education system extended further. Dr. B.R. Ambedkar Open University, Hyderabad was established in 1982 by the State of Andhra Pradesh. The setting up of Indira Gandhi National Open University by the Government of India in 1985 by an Act of the Parliament is considered to be a milestone development in the field of distance education in the Country.

The Distance Education Council was established in 1991 under Section 16(7) read with Section 5(2) of the IGNOU Act, 1985. As per clause (2) (a) of the statute 28, the Distance Education Council was responsible for the promotion and coordination of the Open and Distance Learning system in the Country. Thereafter, in enactment of the directions issued by the Ministry of Education, the Department of Higher Education, Government of India issued order dated 29.12.2012, thereby the regulatory functions with regard to Distance Education programmes (excluding technical education) in higher education were vested with the University Grants Commission and for technical education, the AICTE act as a regulator through ODL mode. The Distance Education Council, which was the former regulator of Distance Education programmes, was dissolved and all regulatory functions were undertaken by the UGC under DEB (Distance Education Bureau) with effect from 2013. The Ministry of Education vide its order dated 25th February, 2014, has directed UGC to act as a regulator for higher education system in ODL mode, including for technical education in universities/affiliated colleges.

Legal Framework for Distance Education in India:

Distance education in India is regulated by the Distance Education Council which is an autonomous body of the University Grants Commission (UGC). The Distance Education Council was established in August 2002 with the objective of promoting and regulating distance education in India. The Distance Education Council is responsible for the approval and recognition of institutions offering distance education courses. It also provides accreditation to distance education programmes and institutes, and sets quality standards for distance education programmes.

The Distance Education Council has formulated the 'Regulations for the Maintenance of Standards in Distance Education', which are applicable to all universities and institutions offering distance education programmes in India. These regulations provide for the approval of distance education programmes, the recognition of institutions offering such programmes, and the accreditation of such programmes. The Distance Education Council also has the authority to grant approval to institutions offering distance education programmes, and to grant recognition to such programmes. The approval and recognition of distance education programmes is based on a number of criteria, including the quality of the course material, the quality of the faculty, the availability of students support services and the quality of the infrastructure. The Distance Education Council also has the authority to grant accreditation to distance education programmes. Accreditation is granted on the basis of an assessment of the quality of the programme, the faculty, the infrastructure, and the student support services. The accreditation is valid for a period of five years, after which the programme must be re-accredited. The Distance Education Council also has the authority to take action against institutions offering distance education programmes which do not meet the standards set by the Distance Education Council. Such action may include the suspension or cancellation of the approval or recognition of the programme, or the withdrawal of the accreditation. In addition to the Distance Education Council, the UGC also has the authority to regulate distance education programmes. The UGC has formulated the 'Regulations for the Maintenance of Standards in Distance Education', which are applicable to all universities and institutions offering distance education programmes in India.

UGC has finally notified the much-awaited Regulations to govern the Open and Distance Learning in India laying down the minimum standards of instruction for the grant of degree at the undergraduate and post-graduate levels, through Open and Distance Learning mode.

Earlier, Distance Education was governed by Distance Education Council, a body established under Statute 28 of IGNOU Act, 1985. Later in 2013, on recommendation of Madhav Menon Committee Report, DEC was dissolved and all its powers and functions came to be vested in UGC. Later, UGC constituted a body, Distance Education Bureau to look after Open and Distance Learning.

In December 2013, UGC had also issued Draft Regulations for the public feedback and comments and nothing happened for next 4 years until these Regulations were framed. In fact MHRD had later published Distance Education Council of India Bill for public feedback in 2014 and that bill is still facing dust.

The new Regulations, apply to a University referred to under clause (f) of section 2 of the University Grants Commission Act, 1956, an Institution Deemed to be University under section 3 of the said Act, for all degree programmes of learning at the undergraduate and post-graduate level, other than programmes in engineering, medicine, dental, pharmacy, nursing, architecture, physiotherapy and programmes not permitted to be offered in distance mode by any other regulatory body.

Now, all the Universities engaged in Distance Education will have to apply afresh under these Regulations to UGC. On inspection, the Expert Committee will then submit its recommendations which shall be placed before the Commission for its consideration. The Commission if satisfied grant recognition to such Higher Educational Institutions for a period of five years.

All the Universities shall have a designated School or Centre of Distance Education for operationalising the programmes in Open and Distance Learning mode and shall adequate academic, technical, administrative staff and infrastructural resources. The Institution shall also be required to publish all information regarding permission, courses, syllabus, schedule on the website.

The University shall now have to establish a Centre for Internal Quality Assurance exclusively for programmes in the Open and Distance Learning mode and follow the Quality Assurance Guidelines on learning materials in multiple media, human resources, curriculum and pedagogy. It also provides that Teacher and equivalent academic positions in the School or Centre for distance education Learner Support Centres shall be appointed or as per the minimum qualifications laid down in the University Grants Commission (Minimum Qualifications for Appointment of Teachers and other Academic Staff in the Universities and Colleges and Measures for the Maintenance of Standards in Higher Education) Regulations, 2010 as modified; and there shall be positions for Assistant Professor, Associate Professor and Professor in the School or Centre for Distance Education for performing academic functions.

The Regulations also mandate that the Universities shall take such measures as are necessary to blend Information Communication Technologies (ICT) for enhancing effectiveness of teaching – learning process, and administrative functioning in respect of status of admissions, registration, for managing teaching-learning activities through on-line support for interactive learning with learner feedback, to facilitate the use of Open Educational Resources (OER), Massive Open Online Courses and for continuous as well as comprehensive evaluation, certification, and other aspects of student support. In respect of fees, it has asked the Universities to settle the fee structure in way that it provide opportunities for Higher Education to a larger segment of the population and to promote the educational happiness of the public in general and is affordable to all the stakeholders. The ‘Examination Centre’ shall be established within the territorial jurisdiction of the Higher Educational Institutions. Examination Centre shall be located in Government schools such as Navodaya Vidyalaya, Kendriya Vidyalaya, Sainik school etc. including approved affiliated colleges under the University system in the country and no Examination Centres shall be allotted to any private organisations.

Regulatory Bodies for Distance Education in India:

In India, Distance education is regulated by a five of regulatory bodies, the regulatory bodies are ensured that the quality of education provided is up to the mark and also ensure that it should follow the standards set by the government. The regulatory bodies are responsible to ensuring that the courses offered are of a high-quality standard. They also monitoring the functioning of the Distance education institutions providing distance education. The following are the regulatory bodies are regulating the Distance Institution:

- 1. University Grants Commission:** The University Grants Commission (UGC) is the primary regulatory body for distance education in India. UGC is authority for providing the recognition to universities as well as to colleges for providing distance education and monitoring the functioning of education institutions. UGC also set the standard for the quality of education adhere to the standards set by the Government.

2. **Distance Education Council:** Distance education in India is regulated by the Distance Education Council (DISTANCE EDUCATION COUNCIL), which is an autonomous body of the University Grants Commission (UGC). The Distance Education Council (DISTANCE EDUCATION COUNCIL) is another regulatory body for regulating the distance education in India. The Distance Education Council is providing recognition to the education institutions for offering distance education. The Distance Education Council also monitors the functioning of the Distance educational institutions, and it also ensures that they follow to the standards set by the Government.
3. **All India Council for Technical Education:** The All-India Council for Technical Education (AICTE) is another important regulatory body for distance education in India. It is responsible for providing recognition to the educational institutions offering technical courses through distance education, and it also ensuring that the courses offered are of a high quality. The AICTE also monitors the functioning of the educational institutions, and ensures that they adhere to the standards set by the government.
4. **National Council for Teacher Education:** The National Council for Teacher Education (NCTE) is another important regulatory body for distance education in India. It is responsible for providing recognition to the educational institutions offering teacher education courses through distance education, and for ensuring that the courses offered are of a high quality. The NCTE also monitors the functioning of the educational institutions, and ensures that they adhere to the standards set by the government.
5. **National Council for Vocational Training:** The National Council for Vocational Training (NCVT) is another important regulatory body for distance education in India. It is responsible for providing recognition to the educational institutions offering vocational courses through distance education, and for ensuring that the courses offered are of a high quality. The NCVT also monitors the functioning of the educational institutions, and ensures that they adhere to the standards set by the government.

These regulatory bodies are responsible for ensuring that the quality of education provided through distance education in India is up to the mark and in accordance with the standards set by the government. They monitor the functioning of the educational institutions, and ensure that they adhere to the standards set by the government. This ensures that the students get the best possible education and are able to make the most of their distance education experience.

Conclusion:

The Distance Education Council and the UGC have established a comprehensive legal framework for the regulation of distance education in India. This framework ensures that distance education programmes are of a high quality, and that students are provided with the necessary support services to ensure their success.

Reference and Bibliography:

1. https://www.researchgate.net/publication/351608063_legal_framework_for_education_in_india_with_emphasis_on_trends_in_commercialisation_of_higher_education_in_india by Sharma, Priyanka, Sharma, Bhumika
2. <https://isdmgroupp.in/is-distance-education-in-india-legally-permissible/>
3. <https://deb.ugc.ac.in/DEB/learningtrends>
4. <https://www.aicte-india.org/education/distance-education>
5. <https://www.linkedin.com/pulse/ugc-notifies-regulations>
6. <https://deb.ugc.ac.in/>
7. https://www.ugc.gov.in/pdfnews/4921477_draft_degulation_DEC.pdf
8. <https://www.lpude.in/>
9. <https://www.lpude.in/about-us/recognition.php>
10. <https://www.britannica.com/topic/distance-learning>