

GOVERNMENT OF INDIA
MINISTRY OF HUMAN RESOURCE DEVELOPMENT
DEPARTMENT OF HIGHER EDUCATION
LOK SABHA
STARRED QUESTION NO. 11
TO BE ANSWERED ON 18.07.2016

Tie-ups with Foreign Educational Institutions

*11. DR. KAMBHAMPATI HARIBABU:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) whether suggestions have been received from various quarters to allow Indian Educational Institutions to tie-up with foreign institutions and if so, the details thereof;
- (b) whether any roadmap in this regard has been prepared and if so, the details thereof; and
- (c) the time by which the new scheme is likely to be implemented and if not, the reasons therefor?

ANSWER
MINISTER OF HUMAN RESOURCE DEVELOPMENT
(SHRI PRAKASH JAVADEKAR)

(a) to (c): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (c) OF LOK SABHA STARRED QUESTION NO. 11 FOR 18.07.2016 ASKED BY DR. KAMBHAMPATI HARIBABU, HON'BLE MEMBER OF PARLIAMENT REGARDING TIE-UPS WITH FOREIGN EDUCATIONAL INSTITUTIONS.

(a) to (c): The University Grants Commission(UGC) has informed that in order to address the growing need of Indian Educational Institutions (IEIs) to collaborate with Foreign Educational Institutions(FEIs), regulations were notified in 2012 for promotion and maintenance of standards of academic collaboration between IEIs and FEIs, including for the purposes of grant of degree, between IEIs and FEIs. The regulations were reviewed by the UGC and a need was felt for revising them. The NITI Aayog also suggested strengthening of these regulations.

The 2012 regulations have been superseded by the UGC (Promotion and Maintenance of Standards of Academic Collaboration between Indian and Foreign Educational Institutions) Regulations, 2016, notified on 11th July, 2016. The regulations seek to increase synergy between Indian and foreign academic institutions, offer students additional choices, improve curriculum and the delivery of knowledge and educational content. As per the regulations, the degree will be awarded by the IEIs alone; joint degrees are not permitted. However the name of the collaborating FEI can be indicated on the degree, the logo and primacy being of the Indian institution. Credits from collaborating FEI when jointly signed by the IEI shall form part of the transcript. FEI may also sign the transcript/credit issued by the IEI.

Indian Universities and Colleges, having the highest grade of accreditation/ threshold accreditation, will apply online to the UGC for starting twinning and collaborative arrangement with quality FEIs in undergraduate and postgraduate programmes leading to the award of a degree. All communications received from the applicants shall be responded to by the UGC within a period of 60 working days.

The regulations are available at <http://www.egazette.nic.in/WriteReadData/2016/170684.pdf> .

REPLY TO PARTS (a) to (c) OF LOK SABHA STARRED QUESTION NO. 11 FOR 18.07.2016 ASKED BY DR. KAMBHAMPATI HARIBABU, HON'BLE MEMBER OF PARLIAMENT REGARDING TIE-UPS WITH FOREIGN EDUCATIONAL INSTITUTIONS.

EXECUTIVE SUMMARY

2012 Regulations of the UGC:-

The UGC (Promotion and Maintenance of Standards of Academic Collaboration between Indian and Foreign Educational Institutions) Regulations, 2012 was the first regulations by the UGC to establish an enabling framework for collaborations between Indian and Foreign Higher Educational Institutions given the felt need for regulating such collaborations.

Revision of the Regulations:-

Till the notification of the revised regulations, no FEI had applied to the UGC for the collaborations. It was decided that the Indian Higher Educational Institutions should be enabled to apply online to the UGC for entering into collaborations for the purpose of award of degrees.

The Commission had approved these regulations in 514th meeting held on 16th June, 2016. A Press Conference was also addressed by the then Hon'ble HRM regarding these Regulations. The Press Release is at Annexure A. Joint degrees between Indian and Foreign Educational Institutions are not permitted as Section 22 of the UGC Act, 1956 stipulates the following:

“The right of conferring or granting degrees 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”.

A university is defined in the UGC Act, 1956 as the following:

“University” means a University established or incorporated by or under a Central Act, a Provincial Act or a State Act, and includes any such 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”.

Collaborations other than twining arrangements:-

Other types of academic collaborations (student exchange programmes, faculty exchange programmes, research projects) have been undertaken by several universities in the country. These collaborations are regulated by the Acts, Statutes and Ordinances of the University and the instructions of the Government regarding collaborations. The extant instructions (dated 17th December, 2015) stipulate the following:-

- a) *In cases of MoUs/ Agreement at Institutional level, where there is a provision in the Act (under which the institution has been established) to enter into an agreement with the foreign institution, the Institutions can enter into MoUs/ Agreements with the approval of their respective Board of Governors provided there is no additional financial implication for the Government over and above the lump sum annual grant already provided to the institution and the MoU/ Agreement conforms with the National Education Policy, Acts of Parliament and any other laws of the land in vogue. The representative(s) of the Department in the Board of Governors may safeguard the interests of Government at the approval stage; and*
- b) *If there is no provision in the Act of the Institution for signing MoU/ Agreement with the foreign institutions, MoUs/ Agreements may be signed with the approval of the Ministry in consultation with the Ministry of External Affairs.*
- c) *In cases of MoUs/ Agreements between Government to Government, approval of the Cabinet may continue to be taken in terms of extant instructions and after completion of the laid down process.*

Suggestions from NITI Aayog:-

The NITI Aayog analysed all the reports that have been brought out in respect of setting up of foreign universities/ campuses and also reason as to why the same could not move forward for the last 10-15 years. It offered following suggestions:

- For setting up of Foreign Educational Institution (FEI) campuses in India, there are three ways of going about it viz. **(i)** By introducing a Bill on setting up of FEI campuses; **(ii)** by making suitable amendments in the existing UGC and AICTE Acts; and **(iii)** by making changes in current guidelines/regulations of UGC and AICTE for setting up FEIs in India.
- The Indian institutions may be provided a level playing field by granting sufficient autonomy to them.
- The new proposal for preparing the regulatory framework for ten world class private institutions may have a window for FEIs also.

Detailed suggestions of NITI Aayog are at Annexure B.

Action Taken by MHRD

The Department of Higher Education has undertaken the following initiatives:-

1. The Government accorded its approval to UGC (Promotion and Maintenance of Standards of Academic collaboration between India and foreign Educational Institutions) Regulations, 2016 on 28th June, 2016. These have been notified.
2. The Department of Higher Education has prepared a draft UGC (Declaration of Educational Institutions as World Class Institutions) Guidelines 2016 for providing enabling regulatory architecture to 10 public and 10 private institutions to emerge as World Class Teaching and Research Institutions. In addition, a draft UGC(World Class Institutions Deemed to be Universities) Regulations 2016 has also been drafted. The regulatory architecture, the eligibility criteria, the process of selection, monitoring etc for private institutions would be as per these regulations. Both the drafts are under discussion with PMO. Since, upgrading Public Educational Institutions to World Class institutions will have financial repercussion to the extent of ₹ 5000 Crore over a period of five years, an EFC note has been prepared and submitted for approval before it is circulated for Inter Ministerial Consultations.
3. Global Initiative on Academic Networks (GIAN) has been an initiative to bring reputed foreign academics in to Indian higher education. Over 600 approvals from 38 countries have been accorded and there is a steady stream of reputed foreign academics from highly rated institutions abroad. It is expected this year, the approvals will cross 1000.
4. Agreements were signed in the context of BRICS Network University in April 2016. This involves 12 institutions / Universities/ IITs /NITs and a similar figure of 12 each from 4 other BRICS countries over six knowledge domains. The institutions have started collaborative activities and a review will be taken in August 2016.

AICTE Regulations

The AICTE in 2003 had issued regulations for entry and operation of foreign universities in India imparting technical education. These Regulations will be revised in accordance with the principles of the 2016 UGC Regulations.

11TH POSITION

REPLY TO PARTS (a) to (c) OF LOK SABHA STARRED QUESTION NO. 11 FOR 18.07.2016 ASKED BY DR. KAMBHAMPATI HARIBABU, HON'BLE MEMBER OF PARLIAMENT REGARDING TIE-UPS WITH FOREIGN EDUCATIONAL INSTITUTIONS.

NOTES FOR SUPPLEMENTARIES

Q. 1. What are the Constitutional provisions regarding education? (Given in Schedule VII of the Constitution of India)

LIST I - UNION LIST-

Entry No.	Entry
63	The institutions known at the commencement of this Constitution as the Benares Hindu University, the Aligarh Muslim University and the Delhi University; the University established in pursuance of article 371E; any other institution declared by Parliament by law to be an institution of national importance.
64	Institutions for scientific or technical education financed by the Government of India wholly or in part and declared by Parliament by law to be institutions of national importance.
65	Union agencies and institutions for— (a) professional, vocational or technical training, including the training of police officers; or (b) the promotion of special studies or research; or (c) scientific or technical assistance in the investigation or detection of crime.
66	Co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions.

LIST II- STATE LIST

32. Incorporation, regulation and winding up of corporations, other than those specified in List I and Universities, unincorporated trading, literary, scientific, religious and other societies and associations, co-operative societies.

LIST III- CONCURRENT LIST

25. Education, including technical education, medical education and universities, subject to the provisions of entries 63,64,65 and 66 of List I, vocational and technical training of labour.

Q.2. What is the role of the UGC?

Answer: The University Grants Commission (UGC) is a statutory body established in 1956 by an Act of Parliament (the UGC Act, 1956 for the purpose of coordination and determination of standards in Universities [*prior to this enactment, an interim UGC had been set up by the Government through a Resolution in 1953*]).

This act was promulgated pursuant to Entry 66 of List I (Union List) which empowers the Union Government for “*Co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions*”. The mandate of the UGC includes not only determination of standards in Universities, but promotion and co-ordination of university education, determination and maintenance of standards of teaching, examination and research in Universities, allocating and disbursing out of the funds of the Commission grants to Universities, as it may deem necessary, for their development, or maintenance or both, and, in general, advancing the cause of higher education in India. It can also render advice to Central, State Governments or any other authority on matters relating to establishment, funding, expansion etc. of a University and, in general, for improvement of University education.

The UGC has laid down several Regulations to regulate the functioning of the Universities. It also specifies the degrees to be awarded by Universities and its affiliated/constituent colleges and Institutions established by Act of Parliament for awarding degrees.

Q.3 What is the structure of the UGC?

Answer: The Commission comprises a Chairman, Vice-Chairman and ten other members out of which two will be officials of the Central Government to represent that Government and remaining eight will be part-time members chosen against sections 5(3)(b) and 5(3)(c) of the UGC Act, 1956.

The UGC has a Secretariat, headed by a Secretary appointed by the Commission. The UGC Secretariat is responsible for implementation of the decisions taken by the Commission

In pursuance to the National Policy on Education (1986), the UGC de-centralised its working by opening seven regional offices catering to the states under it. The objectives of setting up these offices were to bring about de-centralisation and to ensure that a large number of colleges through out the country, which are covered under Section 2(f) and 12(B) of the UGC Act, will have better opportunities of response to their

needs and problems by way of easier access. The following schemes are being implemented by the regional offices, namely: development of Colleges affiliated to State Universities; Minor Research Projects for College teachers; Autonomous Colleges; Seminar/Symposia/Conference etc. for colleges; Construction of Women's Hostel (Special scheme); Award of Teacher Fellowship to College Teachers for doing M.Phil/Ph.D.; Financial assistance to Teachers - Visually Handicapped (Blind).

Q.4. What is a Joint Degree?

Answer. A Joint Degree means a single degree jointly awarded by the Indian Educational Institution and the collaborating Foreign Educational Institution.

Q.5. Which Institutions come under the ambit of the UGC regulations?

Answer. Universities, affiliated colleges and deemed to be universities, other than technical institutions, come under the ambit of the UGC Regulations. Indian Educational Institutions, other than technical Institutions, already collaborating prior to the coming into force of these regulations, or intending to collaborate with Foreign Educational Institution for offering programme(s) of study leading to award of degrees, have to comply with these regulations.

Q.6. What is the detailed methodology for collaboration?

Answer. Any Indian Educational Institution collaborating with a Foreign Educational Institution shall have to enter into a written Memorandum of Understanding or Agreement with the Foreign Educational Institution concerned with prior approval obtained from the Commission for the purpose. Then the MoU or the Agreement shall be signed by both the partnering institution and a copy of such MoU or Agreement shall be forwarded to the Commission and also be uploaded on its website by the Indian Educational Institution.

Q.7. What is the detailed procedure of approval?

Answer. Indian Higher Educational Institution (IEI) shall obtain the approval of its Board of Governors/Syndicate/Executive Council for the academic collaboration with the Foreign Higher Educational Institution (FHEI) in accordance with the instructions of Department of Higher Education, Government of India vide F.No.6-2/2015-ICC dated 17th December, 2015 (at Annexure 'C') and its subsequent amendments, if any, issued from time to time. IHEI shall, thereafter, apply online on the dedicated UGC portal and also upload alongwith the application a digitally certified copy of draft MoU/ Agreement and details about FHEI including the infrastructure facilities, facilities available for instruction, faculty, specified fee, courses, curricula, requisite funds for operations for a minimum period of three years and other terms and conditions of collaboration, if any.

The draft MoU or Agreement should incorporate the provision that the credits awarded by the IEI under the degree programmes covered in the collaboration, shall be accepted by the FHEI not only for collaboration but for all others purposes, including academic mobility. Further, the minimum duration of programme of study, covered under collaboration, in the FHEI shall not be less than two semesters for UG programmes and one semester for the PG programmes.

The Commission after receiving the online application alongwith draft MoU or Agreement shall acknowledge and deficiencies in the proposal, if any, shall be communicated and additional documents, if any required, shall be asked for within a period of 30 working days.

Once the Commission is satisfied that the proposal is complete in all respects, the proposal shall be placed before the sub-committee of the Commission referred to in the third proviso to Regulation 3(2)(b), for examining such proposals. The recommendations of the sub-committee shall be placed before the Commission which shall take the decision to issue a letter of approval, after considering various factors including quality of education, overall merit of the proposal, fees to be charged, credibility of FHEI as well as IHEI. In case the Commission does not approve the proposal, a letter of rejection shall be issued on the designated UGC portal stipulating the reasons therefor. All communications received from the applicants shall be responded to by the UGC within a period of 60 working days from the date of their receipt.

Approval so granted shall be valid for two cycles of the minimum duration of the degree programmes covered under the collaboration or as specified otherwise. The IEI shall apply, on the designated UGC portal, for renewal of approval, granted under these regulations, before six months of its expiration.

Q.8. What are the consequences of violation?

Answer. The Commission shall, on the basis of any complaint from any quarter may cause an inquiry, including physical inspection, of the collaborating arrangements and after having satisfied itself that the collaborating institution(s) is/are not functioning in accordance with these regulations, under section 14 of the Act, may revoke the approval for collaboration and while issuing such directions, the Commission shall ensure that the students, who have already enrolled for such course or programme are permitted to continue till they obtain requisite qualification.

Q.9. What is the procedure & practices adopted for granting equivalence?

Answer: Initially, when the students mobility was less and also the number of Indian Universities were comparatively fewer, every individual case of equivalence was assessed by the experts, which were referred, either by Indian or foreign Universities, Indian Mission abroad or by other Government Agencies. Normally the proposal for equivalence of foreign qualifications was received from Indian Mission abroad or through the university concerned. The equivalence was established on course to course basis, based n the information on the following points:

- Structure from Primary to University education.
- Entry requirements
- Nomenclature of the course certificate/degree
- Accreditation status of the University/Institution in the home Country
- Syllabus/course curriculum ad regulation of the course
- System f evaluation
- Requirement for passing
- Parity of the degree outside the country-documentation thereof
- Sample copy of the degree and academic transcript
- Any other relevant information

Thereafter, each case for equivalence was examined with reference to International documentation available with us. These include “International Handbook of Universities (Published by IAU); Commonwealth Universities Yearbook (Published by ACU); International Guide to Qualifications in Education-British Council Publication; American Association of Collegiate Registrars and Admission Officers (AACRAO) publication; World Guide to Qualifications in Higher Education-UNESCO Publication; Accredited Institutions of Postsecondary Education-and American Council on Education Publication. Supporting information is also obtained from Foreign Mission in New Delhi. The matter is also referred to International Agencies like United States Educational Foundation in India, British Council Division, German Academic Exchange Service (DADD) etc.

Each case of equivalency was referred to the Expert(s) for their Expert opinion and after the opinion was received the same was placed before the Equivalence Committee for their consideration and perusal and was finally placed before the Governing Council for their ratification.

The Policy adopted by AIU to accord equivalence to the degree has been as follows:

“AIU accords equivalence to the degrees pursued by the candidates full time on the campus of the university of its origin, provided the eligibility requirements, duration etc. remains the same as that of Indian Universities”.

The three basic components which play a vital role in the determination of the equivalence are:

1. Eligibility requirements
2. Duration of the programme
3. Course curriculum etc.

Thus, AIU issues equivalence certificates only for the degrees which are pursued full time on the campus of the university(s) subject to fulfilment of the above parameters. The Ministry of Human Resource Development, New Delhi, vide their letter dated 13th March, 1995 issued a Notification that the equivalence done by AIU will be valid for the purpose of admission to higher education as well as for employment, in the country.

Till few years back AIU followed the same Policy, but after the increase in students mobility and also the numbers of universities where from the students have obtained their degrees from various parts of the world, AIU found it difficult to examine each other and every case of equivalence and therefore, the equivalence is now established on the basis of the following parameters:

1. Eligibility requirements
2. Duration of the programme

3. Accreditation status of the University(s)

Thus, AIU still continues to issue equivalence certificates in respect of degrees pursued full time on the campus of the university, of its Origin, provided the duration of the course and eligibility requirements remains the same as that of Indian Universities.

AIU facilitates the students by issuing Equivalence certificates to those students who have obtained their degrees after fulfilling the above parameters, from accredited foreign universities.

Degrees which are offered by the foreign accredited universities but are pursued, either partly or fully in India, are not accorded equivalence by AIU. The AIU also does not issue equivalence certificates for the degrees which are lesser in duration in comparison to the Indian degrees. Similarly, no Equivalence is issued for Diploma level programmes (offered in the field for engineering/short term Diploma programmes etc.) conducted in various parts of the world.

The AIU has accorded Equivalence to the most popular System of School Education of the world viz. The British System (GCE 'O' & 'A' Level), American System (High School Diploma), International Baccalaureate (IB) awarded by the International Baccalaureate Organization Geneva, Switzerland, French International Baccalaureate (IB), 12 year General Secondary School Certificate Examination conducted in most of the countries in Gulf etc. Equivalence certificate is issued to all those candidates who have passed the above examinations from any part of the world.

The following is a tentative list of +2 level qualifications recognized by AIU and their nomenclatures:

- i) 12 years Baccalaureate Certificate of Chad Gabon, France and Tunisia
- ii) International Baccalaureate Diploma awarded by international Baccalaureate Organization, Geneva, Switzerland.
- iii) 12 years General Secondary Education Certificate of the Ministry of Education Bahrain, Egypt, Jordan, Kuwait, Oman, Saudi Arabia, United Arab Emirates and other Gulf countries.
- (iv) GCE/IGCSE/GCSE examination of the approved British Examination Bodies, with Minimum 5 (five) subjects in A, B, C Grades including English at ORDINARY ("O") Level and Minimum 2/3 subjects at ADVANCED LEVEL. Candidates intending to join Professional courses are required to have passed the subjects to Physics, Chemistry, Biology/Mathematics in ADVANCED LEVEL & English at AS LEVEL.
- (v) 12 Year High School Diploma from any accredited Schools of USA.
- (vi) Intermediate/Senior Secondary/Higher Secondary examinations of the approved Boards in Pakistan, Bangladesh, Bhutan and Nepal.

- (vii) 12 year Secondary State qualification of National Examination Board of the Ministry of Education, Ethiopia, Sudan.
- (viii) 12-year Secondary State examination conducted by various Provinces in *Canada and Australia.
- (ix) GCE “Ordinary and Advanced**” level examination of the Departmental of Education, Government of Sri Lanka, Singapore, Hong Kong & Mauritius.
- (x) 12 year STPM examination of Malaysia.
- (xi) 12 year Secondary State qualification of Indonesia, Japan, Korea, Republic of Vietnam and Yemen Arab Republic.
- (xii) “Abitur” examination of Germany.
- (xiii) 12 year High School Diploma*** awarded by the accredited American Schools/International Schools in other countries following American System of Education.
- (xiv) Pre University Certificate Examination of the Ministry of Education, Iran.
- (xv) 12 year Secondary School Certificate Examination of the Ministry of Education, Islamic Republic of Afghanistan.
- (xvi) 12 Year Secondary School Certificate Examination of the Ministry of Education, Islamic Republic of Iraq.
- (xvii) 12 Year Senior School certificate Examination of West African Examinations Council, (WACE) in A, B, C Grades on a scale of 1-4 (A-1, B-2, B-3, C-4) conducted in the countries of Nigeria etc.
- (xviii) EXAMEN D’ETAT of the Ministry of Primary, Secondary & Professional Education in the Democratic Republic of Congo.
- (xix) 12 year Kenya Certificate of Secondary Education Examination with more than 5 (Five) subjects in the Grades “A”, “B”&”C” of the Kenya National Examinations Council, Nairobi, Kenya.
- (xx) Advanced Certificate of Secondary Education Examination with minimum 2 (Two) Principal Passes & 2 (Two) Subsidiary Passes of the National Examinations Council of Tanzania.
- (xxi) Uganda Advanced Certificate of Education Examination with minimum 2 (Two) Principal Passes & 2 (Two) Subsidiary Passes of the Uganda Examination Board.
- (xxii) Level 3 of New Zealand Qualification Authority.

* Candidates having passed Ontario Secondary School Diploma of the Ministry of Education, Ontario should have acquired minimum 6 (Six) “U/M” (University Preparatory Courses).

** Candidates having passes O and 'A' level examinations should fulfil the same conditions as prescribed at Sr. No. (IV).

*** High School Diploma awarded by the American Schools in USA and other parts of the world should be accredited either by the State Departments of Education in US OR by any of the following Six Regional Accrediting Agencies in USA:

1. Middle States Association of School and Colleges.
2. New England Association of School and Colleges.
3. North Central Association of School and Colleges.
4. Northwest Association of School and Colleges.
5. Southern Association of School and Colleges.
6. Western Association of School and Colleges.

AIU does not accept High School Diploma pursued through ONLINE/DISTANCE Mode and also GED Examination conducted in US.

Q.10. What is the position of the Ministry regarding opening of foreign campuses in the country?

Answer. The status paper, submitted to PMO, is at Annexure 'D'. The AICTE Regulations are at Annexure 'E'. A copy of the Foreign Educational Institutions (Regulation of Entry and Operations) Bill, 2010, that was introduced in the XVth Lok Sabha and has lapsed with its dissolution, is at Annexure 'F'.

Q.11. Is there any compilation of the Foreign Collaboration between Indian and Foreign Higher Educational Institutions.

Answer. The details are not centrally maintained as institutions are autonomous, by virtue of their Acts of Incorporation to enter into collaboration, subject to the instructions from the Cabinet Secretariat dated 17th December, 2015.
