

AN INDIA CHAPTER FOR FOREIGN UNIVERSITIES

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For a long time, proponents of the internationalisation of higher education have cherished the dream of foreign universities operating in India. For nearly two decades, they have emphasised the need to provide conducive conditions and an enabling framework for such institutions. But the idea failed to come to fruition due to the concerns of the regulatory authorities and governments in India as well as the foreign higher educational institutions.

Promoting excellence, preventing malpractices, safeguarding the interests of students and protecting national interests have been some of the major concerns. Many were wary of the cultural threat that this initiative posed. Some of those who were at the forefront of preserving the purity of Indian culture are now a part of the political dispensation. Policy planners and regulators have been particularly concerned about how to come up with a framework that attracts the best of the best and deters the fly-by-night kinds of universities.

On the other hand, the sought-after universities are concerned about the potential adverse effect of setting up offshore campuses with their accreditation, ranking and reputation. Truly reputed higher educational institutions operate on a not-for-profit basis and have no materialistic motives to go offshore. A few countries that have such offshore campuses had to hard-sell the institutions the idea by leasing land at almost no cost, bearing the bulk of infrastructure cost and promising them the academic, administrative and financial autonomy that they enjoy in their home country. India could hardly afford any such incentives. Whatever was offered was riddled with caveats and contradictions.

Past setbacks notwithstanding, the idea of having world-class universities establish and operate their campuses in India has been so compelling that the National Education Policy (NEP) 2020 provided that “selected universities e.g., those from among the top 100 universities in the world will be facilitated to operate in India. A legislative framework facilitating such entry will be put in place, and such universities will be given special dispensation regarding regulatory, governance, and content norms on par with other autonomous institutions of India.” Even though the NEP favoured a “legislative framework”, the idea is being executed through a regulatory route by the University Grants Commission (UGC). There seems to be determination to get the idea going, even if it amounts to some dilution in standards.

While the policy prescribed “facilitation” and “special dispensation” for the top 100 universities of the world, the draft regulation seeks to lower the standards by extending the scope to the top

500 universities, overall or in any discipline. Further, for the “educational institutions”, just being “reputed” in their home country would be a sufficient requirement. The draft regulation doesn’t seem concerned about the subjectivity and scope of discretion in the above articulation as it believes that the standing committee constituted by the UGC would do an unbiased and thorough job in processing the applications and identifying only the best institutions.

The initiative may still fail due to contradictions in the regulation. The draft regulation demands that the quality of education imparted by these institutions in India must be on a par with the quality of courses at their campus in the country of origin. Yet, it insists that they must not “offer any such programme of study which jeopardises the national interest of India or the standards of higher education in India”. It promises academic, administrative and financial autonomy to foreign institutions but takes that away by asserting that they abide by all the conditions that the UGC and the Indian government prescribe from time to time. The provision that the foreign higher education institutions must not do anything “contrary to the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality” might deter the best universities that most value their academic autonomy.

Leaving aside the issue of whether the idea would succeed, one wonders why India is so keen on foreign higher education. During a media briefing, it was stated that foreign universities in India would stop the outflow of \$28-30 billion in foreign exchange. This does not corroborate the data on outward remittances for studies abroad, as reported by the Reserve Bank of India (RBI). During 2021-22, foreign outflow on account of studies abroad was no more than \$5.165 billion. Even if we add to it the outflows of \$3.598 billion for education-related travel (though these do not necessarily relate to studies abroad), the total education-related outflows would be \$8.973 billion. One could argue that even \$5.165 billion is a substantive sum and must be stopped from flowing abroad, but the idea of import substitution in higher education is complicated. Students do not go abroad for degrees alone; they also go for the experience, post-study work visas, income opportunities and better career prospects. Studying in a foreign university in India would offer them none of these. Most critically, as they are able to finance a good part of their education abroad through jobs, assistantships and scholarships, they find it more economical.

Still, India needs to have an enabling framework for the entry and operation of foreign higher educational institutions. It must, however, ensure that the best of the best set up their campuses in the country.

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