

Regulating foreign universities in India

Reports this year said the government has renewed its push for foreign universities in India. The development comes after the UPA government's detailed law on foreign varsities, their entry and regulation — the Foreign Educational Institutions (Regulations of Entry and Operations) Bill of 2010 — lapsed. This Bill was meant to introduce a comprehensive regulatory mechanism to prevent students from falling for the attractions offered by these establishments.

Due to a regulatory regime or policy, it has been difficult to make a meaningful assessment of the operations of foreign educational institutions. The statement of objects and reasons of the 2010 Bill says that this has given chances to adopt various unfair practices and for commercialisation.

At present, only the All India Council for Technical Education has notified regulations for the entry and operation of foreign universities and institutions imparting technical education in India. The objective of the Bill was to maintain high standards of education. The Bill provided that a foreign educational institution shall not impart education in India unless it is recognised and notified by the Central government as a foreign education provider under the proposed legislation. The quality of education, curriculum, methods of imparting education, and the faculty should be the same as those employed by the institution in its main campus. The institution should maintain a corpus fund of not less than 50 crore or such sum as may be notified by the Central government.

The Centre can refuse to recognise and notify a foreign educational institution as a foreign education provider if it is not in the interest of the sovereignty and integrity of India, the security of the state, friendly relations with foreign states, public order, etc. The Centre can withdraw the recognition and rescind the notification of a foreign education provider on the grounds of violation of the provisions of the proposed legislation or the University Grants Commission Act, 1956, or any other law.

Any person who is associated with an unrecognised foreign educational institution and who offers or gives admission to any person as student, or collects fee or awards any degree, shall be liable to a penalty of 10 lakh to 50 lakh in addition to a refund of the fee and confiscation of any gains made out of it.

Any disputes under the Bill would be heard under the National Educational Tribunal, also a forum proposed.

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