



**Feedback on draft UGC Guidelines on Setting up and
Operation of Campuses of Foreign Higher Educational
Institutions in India Regulations, 2023**

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Towards Internationalization of Indian Higher Education

BACKGROUND

The UGC Guidelines on Setting up and Operation of Campuses of Foreign Higher Educational Institutions in India Regulations, 2023 is considered as a step towards materializing the NEP 2020 vision of facilitating top (100) universities in the world to operate in India. The NEP further mentions that 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'. The proposed draft UGC Regulations is meant to facilitate the entry of higher-ranked foreign universities to provide an international dimension to the higher education of India as envisioned in the NEP. The Regulation, through allowing Foreign Higher Education Institutions (FHEIs) will enable Indian students to obtain foreign qualifications at affordable cost, and make India an attractive global study destination. The UGC has placed the Draft Regulation in the public domain for comments/suggestions from the stakeholders.

HISTORY OF SETTING UP OF FHEIS IN INDIA

This is not the first time, the setting up of FHEIs in India is in headlines, but there were several efforts by the previous governments as well. In the year 1995, the bill to permit the entry of Foreign Universities was drafted but wasn't passed which was again attempted in the year 2005-06 and couldn't get through the cabinet. Again, during the year 2010, Foreign Educational Institutions (Regulation of Entry and Operations) Bill, 2010 was put forth which could not gather the much-needed support in the Parliament and eventually lapsed. The standing committee report on Foreign Educational Institutions (Regulation of Entry and Operations) Bill,

2010 suggested that the countries with already existing foreign institutions should be analyzed thoroughly, and also recommended that the autonomy with the central government to exempt any foreign institution is discriminatory and hence to be deleted from the bill (Standing Committee Report, 2010)

The establishment of Foreign Universities in India has always been discussed, and various committees and organizations have been looking forward for the path ahead. The committee report headed by Prof. Yashpal, though had apprehensions in giving an open license to allow foreign universities which are not even known in their own country, recommended that the top 200 in the world can set up their campuses in India subject to all the rules and regulations that would also apply to an Indian University (Yashpal Committee Report, 2009). The Confederation of Indian Industry in its recommendations to the New Education Policy also proposed the setting up and operation of Foreign HEIs in India, and said that allowing Foreign Universities will lead to introduction of best practice in curricula, pedagogy, research in addition to attracting foreign students & teachers. It had also suggested for surplus repatriation, development of own curricula, recruitment of foreign faculties etc., (CII, 2019). Also, the survey "Establishing International Branch Campuses in India" was conducted between December 21, 2020 to February 12, 2021 to elicit responses from the "The World University Rankings" on their views to set up their campuses in India, out of the 43 respondent universities, 8 universities showed their willingness to establish their campuses in India. Out of these five universities are from US, and one each from UK, Canada and Australia. Currently, there are collaborations with respect to some of the courses and programmes, but the FHEIs cannot grant degrees.

UGC had also notified the Guidelines on Internationalization of Higher Education in 2021, which included provisions like setting up an Office for International Affairs and Alumni Connect Cell in the Universities. To foster academic collaboration between Indian Higher Educational Institutions

(HEIs) and foreign HEIs, “UGC (Academic Collaboration between Indian and Foreign Higher Educational Institutions to offer Twinning, Joint Degree and Dual Degree Programmes) Regulations, 2022” were notified in the Gazette on 2nd May, 2022.

NATIONAL EDUCATION POLICY 2020 ON SETTING-UP OF FHEIs IN INDIA

Internationalization of Higher Education is one of the key proposals of National Education Policy 2020. It envisions holistic and multidisciplinary education with internationally relevant curricula and courses, twinning and student exchange programmes, bring in more foreign students to study in India and establish Foreign HEIs as the major dimensions to internationalize higher education in India. The policy states 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” (NEP 2020). In this course, Ministry of Education and UGC has taken several measures in order to realize the vision of NEP and internationalize higher education in India.

In its continued efforts UGC released the Draft Draft UGC (Setting up and Operation of Campuses of Foreign Higher Educational Institutions in India) Regulations, 2023” for their establishment and functioning in India. Though a good move, the draft has stirred a mixed reaction among the stakeholders considering the present status of higher education system in India.

HIGHLIGHTS OF THE FOREIGN EDUCATIONAL INSTITUTIONS (REGULATION OF ENTRY AND OPERATIONS) BILL, 2010

1. The Bill seeks to regulate the entry and operation of foreign educational institutions seeking to impart higher education.
2. Every foreign educational institution intending to operate in India has to be notified as a foreign educational provider by the central government on the recommendation of the Registrar
3. Foreign educational providers have to maintain a corpus fund of a minimum of Rs 50 crore of which up-to 75% of any income generated from the corpus fund shall be utilized for developing its institution in India and rest should be put back in the fund
4. The programme of study offered by the foreign university has to conform to standards laid down by the statutory authority (such as UGC, AICTE, Bar Council of India) and the quality in terms of curriculum, methods of teaching and faculty is comparable to that offered to students in the main campus
5. Every foreign institution has to publish a prospectus 60 days prior to admission which shall include information about fees, amount of fees refundable, approved number of seats, conditions of eligibility, and details of teaching faculty.
6. The say of the Central Government would be final and can exempt any institution, on the advice of the Advisory Board
7. Any surplus in revenue generated in India by the foreign university has to be invested in the development of the educational institution established by it in India

HIGHLIGHTS OF DRAFT UGC (SETTING UP AND OPERATION OF CAMPUSES OF FOREIGN HIGHER EDUCATIONAL INSTITUTIONS IN INDIA) REGULATIONS 2023

1. The draft proposes for Foreign Universities and Foreign Educational Institutions which will be together called as FHEIs
2. A Foreign University should be ranked among the top 500 of the overall/subject-wise global ranking and a Foreign Educational Institution should be a highly reputed in its home jurisdiction

3. FHEIs interested to open campus in India need to apply online at the UGC portal and the credibility, programmes offered will be assessed by the standing committee set up by the commission, and the recommendations to be placed before the commission within 45 days
4. The commission will grant approval to set up FHEIs in India within 2 years from the date of approval, and based on the necessary criteria fulfilled, the FHEIs will be granted approval for a period of 10 years.
5. The cross-border funds required for setting up the varsity will be as per the Foreign Exchange Management Act, 1999 (FEMA).
6. The FHEIs will have autonomy to decide their own admission process, fee structure (in a reasonable and transparent manner) and have freedom to recruit faculty from India and abroad.
7. FHEIs with campuses in India will not be permitted to offer courses through online or ODL (open and distance learning) modes and only conduct offline classes (physical mode) will be allowed.
8. FHEIs will also not be allowed to offer any programs of study that compromise national interests or standards of higher education in India.
9. An audit report shall be submitted annually by the FHEIs to the UGC certifying that its operations are in compliance with UGC Act and related rules. Also, the UGC will have the right to inspect the campuses at any time.
10. The say of the Commission would be final

[CESS has come up with an Infographic highlighting the recommendations of the Draft UGC (Setting up and Operation of Campuses of Foreign Higher Educational Institutions in India) Regulations 2023 as part of its Infographic series. Appended in the Annexure 1]

A COMPARISON BETWEEN THE BILL 2010 AND THE DRAFT REGULATIONS 2023

The following table highlights the important clause proposed in the 2010 Bill and current draft Regulation.

The Foreign Educational Institutions (Regulation of Entry and Operations) Bill, 2010	Draft University Grants Commission (Setting up and Operation of Campuses of Foreign Higher Educational Institutions in India) Regulations, 2023
<p>The bill will regulate the entry and operation of foreign educational institutions imparting or intending to impart higher education <i>(including technical education and medical education and award of degree, diploma and equivalent qualifications by such institutions)</i> and for matters connected therewith or incidental thereto.</p>	<p>The Regulations shall regulate the entry and operations of Foreign Universities/ Institutions in India to conduct <i>undergraduate, postgraduate, doctoral, post-doctoral, and other programmes and award degrees, diplomas, and certificates in all disciplines.</i></p>
<p>The applicant should have been established or incorporated and has been offering educational services <i>for at least twenty years under a law of the country in which such institution is established or incorporated and registered along with the status of its accreditation,</i> wherever applicable, from the accrediting agency of that country</p>	<p>The applicant foreign university should have <i>secured a position within the top 500 of overall / subject-wise global rankings,</i> as decided by the Commission from time to time; and in the case of a <i>foreign educational institution, the applicant should be a reputed institution in its home jurisdiction.</i></p>
<p>A Corpus fund of of a <i>minimum of Rs 50 crore of which up-to</i></p>	<p><i>There is no mention of the corpus fund</i></p>

<i>75% of any income generated from the corpus fund shall be utilized for developing its institution in India and rest should be put back in the fund</i>	
The recommendations of the <i>statutory authority shall be sent to the Registrar within a period of three months</i> from the date of receipt of the copy of the application	The recommendations of the <i>Standing Committee shall be placed before the Commission within 45 days</i> from the date of receipt of the application, complete in all respects.
The say of the <i>Central Government</i> would be final and can exempt any institution, on the advice of the Advisory Board	<i>The say of the Commission (UGC) would be final</i>
The commission can <i>recommend to the central government for withdrawal of recognition and rescission the notification issued under sub-section (8) of section 4 in respect of such foreign education provider</i>	The Commission itself can <i>impose a penalty and/or suspend/withdraw approval at any time in case if there are any violations</i>

Detailed Comparison in the Annexure 2

KEY OBJECTIVES AND CONSEQUENCES OF PROPOSED DRAFT REGULATION

The Preamble of the UGC Regulations encompasses the following three as intended 'objectives' which would become 'consequences', in case of the proposed Regulations becoming a reality:

1. Entry of higher-ranked foreign Universities
2. Enable Indian students to obtain foreign qualifications at affordable cost and
3. Make India an attractive global study destination.

The UGC Regulations which is in response to the NEP 2020 vision to elevate India to a global leadership position, through knowledge (in the knowledge domain) is highly laudable. The move is essentially an enabler towards internationalizing India's higher education system. However, the objectives and the regulatory guidelines proposed in the draft Regulations undermines the potential of our own premier higher education institutions as well as ignores the concerns of higher education stakeholders.

SUGGESTIVE WAY FORWARD

Internationalisation of higher education has several dimensions. Setting up off-shore campuses, offering dual/twinning/joint programmes, designing global curriculum, faculty exchange programmes, joint research, student exchange programmes, and instituting a large-scale fellowship to encourage students to pursue overseas education are important dimensions of internationalizing the higher education. The roadmap for internationalizing India's higher education must take note of all these dimensions and focus on those, to begin with, which contributes to global learning and research which are fundamental to realizing the vision of NEP 2020.

An essential precondition, to invite the foreign higher education institutions to set up campus in India, should be to create an enabling condition, a conducive system that would elevate our higher education institutions to a

level of parity between the foreign and host higher education institutions. Towards this, the following measures be initiated concurrently or in order of priority:

1. Stakeholders Confidence

Taking the confidence of all the stakeholders is critical first step towards internationalization. The uneven growth of Indian higher education system has created disparity among the institutions within. The coming of the foreign HEIs is feared to widen the disparity. The autonomy promised under the Regulation to the FHEIs may intimidate even well-established Indian HEIs. Institutional autonomy is fundamental for higher education institutions for quality enhancement and expansion. The differential treatment in terms of granting autonomy to Indian HEIs and FHEIs may become a bone of contention, if the sentiments of stakeholders of Indian HEIs are not taken into consideration.

2. Academic Partnership

Higher Education Institutions view Academic Partnerships between and among institutions from across the globe as an important area for knowledge creation, learning and sharing. Academic partnership may include joint curriculum development, dual/joint degree programmes, starting from undergraduate level, faculty and institution led joint research and innovation projects, with provision for reciprocal exchange of faculty and students. The MoE, GoI or UGC must facilitate Academic Partnerships between and among select institutions. A gateway be worked out with identified Indian and Foreign higher education institutions for nurturing academic partnerships. This will address one way mobility of (Indian) students. And more importantly partnership initiatives will enrich both the foreign and host institutions in their academic outlook and also of brand building. It's very critical for Indian HEIs to enter into and

sustain academic partnerships with select FHEIs to gain the global working knowledge.

3. Students' Mobility

Student mobility is an important objective and outcome of internationalization of higher education. The overseas students bring in the most important elements of internationalisation-diversity and vibrancy. It is the diverse students' cohort that enables world class learning environment. HEIs across the world formulate policies to attract students from all over the world to enrich their teaching-learning process and overall learning environment. The cultural diversity and different perspective that students bring in to the classroom will not only enrich their leaning but is considered as an important step towards global collaboration. In case of India, this mobility is largely one way. There is an established pattern among Indian students preferring to go to overseas to pursue higher education. Number of Indian students going abroad to study is steadily increasing and outnumbers the foreign students coming to study in India's higher education institutions. The reason for this trend is obvious. Indian students primarily go abroad for the quality of education offered by those institutions. Exposure, opportunity to earn while studying, and prospect of getting a job post education are other attractions. This trend must be reciprocal. Ministry of External Affairs (MEA) and other concerned regulators must devise strategies to enthuse foreign students to come to India for studies in the reciprocal understanding-as part of dual/joint degree. This will gradually help in building global branding for our course and institutions.

4. Repatriation

Repatriation is a highly sensitive aspect. Care must be taken to ensure that it is not used as a tool for revenue generation from the

host institutions and at the same time it should be attractive enough for the foreign higher education institutions to set up their off-shore campus. A win-win solution, indicating agreeable percentage of re-investment and repatriation, must be devised to prevent exploitation one the one hand and value gain on the other.

5. Strategic Investment

The best way forward for India on internationalization is through strengthening home institutions. Home institutions can be encouraged to offer outbound programmes with two-way mobility. Currently our students visit overseas institutions for a stipulated period of time as a part of dual/joint degree programme. However, foreign students coming over to Indian institutions under similar programme is not much prevalent. To enable this inbound mobility, there is a need for strategic investment in form of fellowships, facilities, infrastructure to make it attractive and meaningful for the overseas students. Institutional arrangements must be encouraged to strengthen inbound mobility.

Due consideration must be given to complexity and the level at which India's higher education institutions are functioning. An essential precondition, prior to inviting the foreign higher education institutions to set up campus in India, should be to create an enabling condition, a conducive system that would push our higher education institutions to a level that sets parity between the foreign and home/host higher education institutions. The Regulation is limited in its scope. A comprehensive framework facilitating the reciprocal internationalization of higher education will lead to accomplishing the NEP vision of global leadership.

References:

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Annexure 1



Centre for Educational and Social Studies

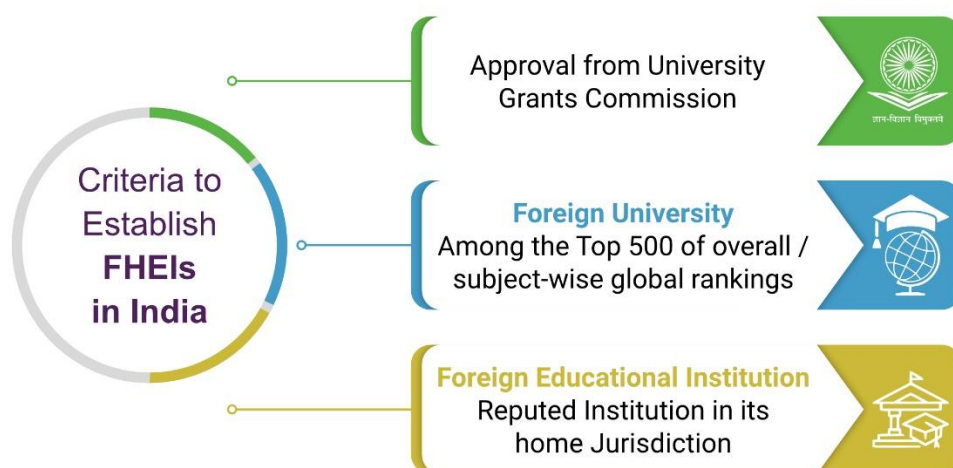
An Overview of Draft UGC (Setting up and Operation of Campuses of Foreign Higher Educational Institutions in India) Regulations, 2023

The National Education Policy 2020 envisages for a legislative framework to allow top global universities to operate in India. In this regard, the University Grants Commission has released the draft UGC (Setting up and Operation of Campuses of Foreign Higher Educational Institutions in India) Regulations, 2023. The main objective of the regulations is to facilitate the entry of the FHEIs into India.

Types of Foreign Higher Educational Institutions (FHEIs)

1 Foreign Universities

2 Foreign Educational Institutions



Procedure for Approval

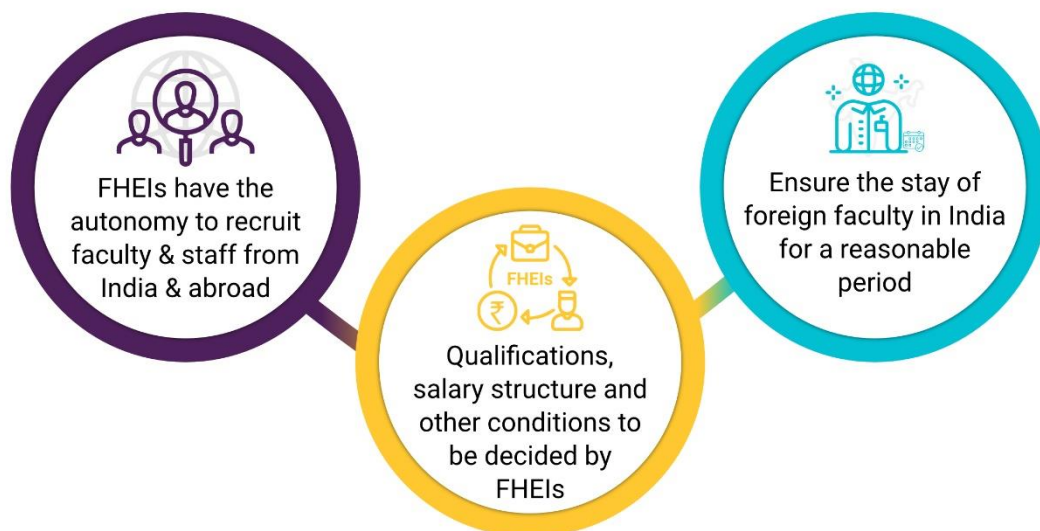


Admission and Fee Structure



The Commission shall have the right to inspect the campus and its operations at all times to ascertain the infrastructure, academic programmes and overall quality and suitability.

Appointment of Faculty and Staff



Some of the General Conditions

-  Quality of education imparted should be in par with that of the main campus in the country of origin
-  Programmes offered shall not be allowed in online or ODL mode
-  Qualification awarded in the Indian campus shall be treated in par with that of the main campus in the country of origin
-  Qualification awarded under these regulations shall be equivalent to any corresponding degree awarded by Indian HEIs
-  Adequate financial resources and infrastructure to be arranged by the FHEIs
-  Programmes offered by FHEIs should not jeopardize the national interest of India and the standards of higher education in India
-  FHEIs to abide to the condition(s) prescribed by the Commission and GoI from time to time
-  FHEIs shall not act as the representative of the parent entity and do promotional activities
-  Quality assurance audit and report submission to be done at the time of extension

Cross-border movement of funds and maintenance of Foreign Currency Accounts, mode of payments, remittance, repatriation, and sale of proceeds shall be as per the FEMA 1999 and its Rules

Source: https://www.ugc.ac.in/pdfnews/9214094_Draft-Setting-up-and-Operation-of-Campuses-of-Foreign-Higher-Educational-Institutions-in-India-Regulations-2023.pdf, Retrieved on January 10, 2023

Annexure 2

The Foreign Educational Institutions (Regulation of Entry and Operations) Bill, 2010	Draft University Grants Commission (Setting up and Operation of Campuses of Foreign Higher Educational Institutions in India) Regulations, 2023
1.1. This Act may be called the Foreign Educational Institutions (Regulation of Entry and Operations) Act, 2010	1.1. These Regulations shall be called the University Grants Commission (Setting up and Operation of Campuses of Foreign Higher Educational Institutions in India) Regulations, 2023 (hereafter referred to as the Regulations).
Intro - This bill will regulate entry and operation of foreign educational institutions imparting or intending to impart higher education (including technical education and medical education and award of degree, diploma and equivalent qualifications by such institutions) and for matters connected therewith or incidental thereto.	1.2. These Regulations shall regulate the entry and operations of Foreign Universities/ Institutions in India to conduct undergraduate, postgraduate, doctoral, post-doctoral, and other programmes and award degrees, diplomas, and certificates in all disciplines.
1.2. It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act and any reference in any provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.	1.3. These Regulations shall come into force from the date of publication in the Gazette of India
2. Definitions - In this Act, unless the context otherwise requires	2. Definitions
2 (a) - "accrediting agency", in respect of a course of study offered in India by a foreign educational institution, means an agency or body approved, recognised or authorised by the Council for Higher Education Accreditation or University Quality Agency or the Quality Assurance Authority, by whatever name called, established or incorporated under a law in the country of origin of the foreign educational institution or any other statutory authority in that country for the purpose of assessing, accrediting or assuring quality and standards of educational institutions;	
2 (b) - "Advisory Board" means the Advisory Board constituted under sub-section (2) of section 9;	
	2.2. "Campus" shall mean a campus set up by a foreign higher educational institution in India to conduct undergraduate, postgraduate, doctoral, post-doctoral, and other programmes and research;
2 (c) - "Commission" means the University Grants Commission established under the University Grants Commission Act, 1956 or any other body or council or commission established under any Central Act for the time	2.3. "Commission" means the University Grants Commission, established under section 4 of the Act;

being in force to regulate the entry and operation of foreign educational institution;	
2 (f) "foreign education provider" means a foreign educational institution notified by the Central Government, as a foreign education provider, on the recommendation of the Commission as an institution competent to impart education in India and to award degree, diploma or any other equivalent qualification (other than in the distance mode) at undergraduate, post-graduate, doctoral or post-doctoral level;	
2 (d) "fee" means all fees including tuition fee and development charges, by whatever name called, payable by the students enrolled for pursuing courses or programmes of study;	2.5. "Fees" means all fees, including tuition fees and developmental charges, by whatever name called, payable by the students enrolled for the course(s) / programme (s) of study
	2.4. "Course" means one of the units which comprise a programme of study;
2 (e) - "foreign educational institution" means (i) an institution established or incorporated outside India which has been offering educational services for at least twenty years in the country in which it had been established or incorporated; and (ii) which offers educational services in India or proposes to offer courses leading to award of degree or diploma or certificate or any other award through conventional method including classroom teaching method not including distant mode in India independently or in collaboration, partnership or in a twinning arrangement with any educational institution situated in India;	2.6. "Foreign University" means a University, duly recognised and established or incorporated in any legal manner (such as Trust/ Society/ Company/ Statutory/ other legal forms) in the country of the foreign University and is duly authorised to offer academic and research programmes at the undergraduate or higher levels, within and outside its home jurisdiction; 2.7. "Foreign Educational Institution" shall mean an educational institution in a foreign country duly recognised and established or incorporated in any legal manner (such as Trust/ Society/ Company/ Statutory/ other legal forms) in the country of the foreign educational institution not covered under Clause 2.6, but is duly authorised to offer academic and research programmes at the undergraduate or higher levels, within and outside its home jurisdiction; 2.8. "Foreign Higher Educational Institutions" shall include both Foreign Universities and Foreign Educational Institutions as enumerated in 2.6 and 2.7;
2 (g) "national research professor" means a person, who is an academic of high distinction, declared as such by the Central Government;	
2 (h) "National Educational Tribunal" means the National Educational Tribunal established under the Educational Tribunals Act, 2010;	
2 (i) "notification" means a notification published in the Official Gazette and the expression "notify" with its cognate meanings and grammatical variations shall be construed accordingly;	
2 (j) "prescribed" means prescribed by rules made under this Act;	

2 (k) "profession" means the profession of law, medicine and such other profession as may be notified by the Central Government from time to time;	
2 (l) "Registrar" means the Secretary of the University Grants Commission or any other officer of the Commission notified, by the Central Government, as Registrar for the purposes of this Act;	
2 (m) "regulations" means regulations made by the Commission;	
2 (n) "statutory authority" (i) in relation to higher education or technical education or practice of any profession means an authority established or incorporated under a Central Act to regulate standards of such higher education or technical education or practice of any profession; (ii) in relation to medical education means the statutory authority established under (A) the Indian Medical Council Act, 1956; or (B) the Homoeopathy Central Council Act, 1973; or (C) the Indian Medicine Central Council Act, 1970; or (D) the Dentists Act, 1948; or (E) the Pharmacy Act, 1948; or (F) the Indian Nursing Council Act, 1947; (iii) in relation to legal education means the Bar Council of India constituted under section 4 of the Advocates Act, 1961;	2.9. "Statutory/ Regulatory Body" means a body established or incorporated under a Central Act of India to regulate standards of general and professional programme (s) of study and award of degrees in its area of concern
2 (o) "technical education" means the technical education as defined in the All India Council of Technical Education Act, 1987;	
(p) "twinning programme" means a programme whereby students enrolled with a foreign education provider complete their study partly in India and partly in any other educational institution situated outside India.	No such twinning programme
3. No foreign educational institution shall admit any person as a student, or collect any fee from such person or its students in India for any course of study leading to the award of a degree or a diploma, by whatever name called, unless such institution has been notified by the Central Government as a foreign education provider under sub-section (8) of section 4. 4. (1) Any foreign educational institution which intends to impart education in India, shall submit an application, for being recognised and notified as a foreign education provider under	3. ELIGIBILITY: No Foreign Higher Educational Institutions (FHEIs) shall set up campuses in India without the approval of the UGC.

<p>this Act, to the Registrar and such application be duly endorsed by the concerned Embassy or High Commission in India of the country in which such institution is established or incorporated and has been offering educational services in that country.</p> <p>4. (3) (i) has been established or incorporated and has been offering educational services for at least twenty years under a law of the country in which such institution is established or incorporated and registered along with the status of its accreditation, wherever applicable, from the accrediting agency of that country;</p> <p>4. (3) (ii) has adequate financial and other resources to conduct the course or courses of study in India;</p> <p>4. (3) (b) -an undertaking to maintain a corpus fund of not less than fifty crore rupees or of such sum as may be notified, from time to time, by the Central Government in consultation with the statutory authority.</p>	<p>3.1. If the applicant is a foreign university, it should have secured a position within the top 500 of overall / subject-wise global rankings, as decided by the Commission from time to time;</p> <p>3.2. In the case of a foreign educational institution, the applicant should be a reputed institution in its home jurisdiction.</p> <p>There is no mention of corpus fund</p>
Procedure – Chapter II	4. Procedure for Approval
4. (1) Any foreign educational institution which intends to impart education in India, shall submit an application, for being recognised and notified as a foreign education provider under this Act, to the Registrar and such application be duly endorsed by the concerned Embassy or High Commission in India of the country in which such institution is established or incorporated and has been offering educational services in that country	4.1. Upon fulfilment of the eligibility criteria, the FHEI shall apply online to the University Grants Commission along with the non-refundable processing fee, as decided by the Commission from time to time.
	4.2. Appropriate Documents to be uploaded with the application on the UGC portal along with the undertaking with respect to the quality of education provided and the recognition of the qualification provided to the students in India in par with the Foreign HEIs
(4) The Registrar shall, on receipt of an application under sub-section (1), forward a copy thereof to the statutory authority for obtaining its recommendation as to the fitness of such institution to provide quality education in India:	4.3. The Commission shall constitute a Standing Committee to examine matters related to the Setting up and Operation of Campuses of Foreign Higher Educational Institutions in India.
(4) the statutory authority shall make its recommendation to the Registrar within a period of three months from the date of receipt of the copy of the application	4.4. The recommendations of the Standing Committee shall be placed before the Commission within 45 days from the date of receipt of the application, complete in all respects.
(7) The Commission shall consider the report of the Registrar and recommendations of statutory authority, and recommend to the Central Government, within a period of thirty days from the date of receipt of such report and recommendations, as to the fitness of such	4.5. Based on the recommendations of the Standing Committee, within 45 days, the Commission may initially grant in-principle approval and issue a Letter of Intent to the FHEI to set up campuses in India within two years from the date of approval. The

<p>institution proposed to be recognised and notified as a foreign education provider in India – the decision of the Central government would be final</p> <p>(8) The Central Government may, having regard to the report of the Commission, within a period of thirty days from the date of receipt of such report, recognise and notify such foreign educational institution as a foreign education provider for the purpose of award of degree or diploma or both in India</p>	<p>Commission reserves the right to give an extension, if required, on a case-to-case basis.</p>
<p>The Decision of the Central Government would be final</p>	<p>4.6. The applicant FHEI may convey its readiness for the commencement of its academic operations to the Commission. The Standing Committee shall examine the readiness of the campus and give its recommendations.</p> <p>4.7. The Commission shall consider the recommendations of the Standing Committee and issue a notification, within 45 days, for commencing the operation of a campus in India with or without conditions. The permission shall be granted initially for a period of ten years. The FHEI shall pay the Commission an Annual Fee (second year onwards) as decided by the Commission from time to time.</p> <p>4.8. The applicant FHEI shall apply to the Commission for renewal of the operations of the campus at least one year before the expiry of the approved period. The FHEI shall apply online to the Commission along with the non-refundable processing fee, as decided by the Commission from time to time. The Commission shall grant the renewal for a further period of ten years.</p> <p>4.9. The decision of the Commission shall be final.</p>
Admission and Fee Structure	
<p>Every foreign education provider shall publish, before expiry of sixty days prior to the date of the commencement of admission to any of its courses or programmes of study, a prospectus containing fee structure, refund policy, number of seats in a programme, eligibility qualifications, minimum and maximum age limit, process of admission and details of teaching faculty</p>	<p>The Foreign Higher Educational Institutions shall make available the prospectus on its website at least 60 days before the commencement of admissions, including fee structure, refund policy, number of seats in a programme, eligibility qualifications, and admission process.</p>
	<p>5.2. It shall decide the fee structure, which should be transparent and reasonable</p>
	<p>5.4. Based on an evaluation process, full or partial need-based scholarships may be provided by the FHEI from funds such as endowment funds, alumni donations, tuition revenues and other sources.</p>
APPOINTMENT OF FACULTY AND STAFF AND OTHER RELATED PROVISIONS:	
<p>6 (vii) details of the teaching faculty, including therein the educational qualifications and teaching experience of every member of its teaching faculty and</p>	<p>6.1. The Foreign Higher Educational Institutions shall have the autonomy to recruit faculty and staff from India and abroad as per its recruitment norms.</p>

<p>also indicating therein whether such members are on regular basis or as visiting member;</p> <p>6 (viii) the minimum pay and other emoluments payable for each category of teachers and other employees;</p>	<p>6.2.It may decide the qualifications, salary structure, and other conditions of service for appointing faculty and staff. However, the FHEI shall ensure that the qualifications of the faculty appointed shall be at par with the main campus of the country of origin.</p> <p>6.3.It shall ensure that the foreign faculty appointed to teach at the Indian campus shall stay at the campus in India for a reasonable period.</p>
GENERAL CONDITIONS	
<p>5 (2) A foreign education provider shall, out of the income received from the corpus fund, utilise not more than seventy-five per cent. of such income for the purposes of development of its institution in India and the remaining of such unutilised income shall be deposited into the corpus fund.</p>	<p>7.1.The Foreign Higher Educational Institution shall not admit students and collect fees unless duly approved under the present Regulations to set up its campus in India.</p> <p>7.2.It shall ensure that the quality of education imparted by it in its Indian campus is at par with that of the main campus in the country of origin.</p> <p>7.3. The programmes offered under these Regulations shall not be allowed in online and ODL mode.</p> <p>7.4.The qualifications awarded to the students in the Indian campus shall be recognised and treated as equivalent to the corresponding qualifications awarded by the Foreign Higher Educational Institutions in the main campus located in the country of origin.</p> <p>7.5. The qualifications awarded under these Regulations shall be equivalent to any corresponding degree awarded by the Indian Higher Educational Institution with the following stipulations: (i) there shall be no further requirement of seeking equivalence from any authority; and (ii) the degree shall have all benefits, rights, and privileges as obtained in the case of a degree awarded by an Indian Higher Educational Institution ordinarily.</p> <p>7.6.It shall have adequate financial and other resources for establishing and operating its campus in India.</p> <p>7.7. The Foreign Higher Educational Institutions should arrange for adequate physical infrastructure in terms of built-up space for their academic programmes.</p> <p>7.8.The Foreign Higher Educational Institutions shall not offer any such programme of study which jeopardises the national interest of India or the standards of higher education in India</p> <p>7.9.The operation of Foreign Higher Educational Institutions shall not be contrary to the sovereignty</p>

	<p>and integrity of India, the security of the State, friendly relations with foreign States, public order, decency, or morality.</p> <p>7.10. The Foreign Higher Educational Institutions shall abide by any other condition (s) prescribed by the Commission and the Government of India from time to time.</p> <p>7.11. All activities shall be in accordance with the applicant FHEI's mission, vision, and objectives.</p> <p>7.12. The Foreign Higher Educational Institutions shall not act as a representative office of the Parent Entity to undertake promotional activities for their programmes in their home jurisdiction or any other jurisdiction outside India.</p> <p>7.13. It shall undergo a quality assurance audit and submit the report to the Commission at the time of an extension.</p>
	<p>8.1. The Foreign Higher Educational Institution shall submit to the Commission an annual report, giving details of programmes offered, the number of students admitted and passed out, and qualifications awarded.</p> <p>An audit report will also be submitted to the commission</p>
<p>7 (1) If the Commission is satisfied that the foreign education provider has violated any provision of this Act or the University Grants Commission Act, 1956 or any other law for the time being in force or rules, regulations or orders made or notifications issued thereunder, it may, after giving a reasonable opportunity of being heard to the foreign education provider, recommend to the Central Government for withdrawal or recognition and rescission of the notification issued under sub-section (8) of section 4 in respect of such foreign education provider</p>	<p>9. In order to safeguard the interest of the students, The Foreign Higher Educational Institution shall not discontinue any course or programme or close the campus without the Commission's prior approval and the parent entity will be responsible for providing an alternative.</p> <p>11. The Commission shall impose a penalty and/or suspend/withdraw approval at any time in case if there are any violations</p>