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**Country Report**  
**INDIA**

# Country Paper

## Higher Education in India

Presented by - R.Chakravarty\*

### 1. Introduction

#### 1.1 Brief Description of higher education systems in terms of number and types of institutions (state, private) enrolment, government agencies in charge of coordination of higher education.

**1.1.1** Under the Constitutional scheme “education” is a concurrent subject and the Union Government and the States discharge joint responsibilities. While there is a defined role and responsibilities of the States, the Union Government accepts a larger responsibility to reinforce the national and integrated character of education, to maintain quality and standards, to study and monitor the educational requirements of the country, to cater to the needs of research and advancement study, to look after the international aspects of education, culture and human resource development, and in general to promote excellence at the tertiary level of the educational pyramid throughout the country. Only the Parliament has the power to enact legislation in the matter of coordination and determination of standards in institutions for higher education or research and scientific and technical institutions. (*Entry 66, List I Schedule VII of the Constitution*). The State Legislatures can enact laws for 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, cooperatives. (*Entry 32, List II Schedule VII of the Constitution*). Education, including technical education, medical education and universities, subject to certain provisions of entries in List I, vocational and technical training of labour are in the concurrent list, and as such, both the Parliament and the State Legislatures can enact laws on these subjects, including establishment of universities. (*Entry 25, List III Schedule VII of the Constitution*).

**1.1.1** In India, education is clearly enunciated to be a non-commercial or not-for-profit activity and this position has unambiguously been stated by the Supreme Court of India in its numerous judgments

**1.1.2** Both Constitutional directives and judicial pronouncements have underscored the need for the commitment of the State to invest in education as the necessary condition for achieving access, equity and quality. Education in India in all its aspects is, therefore, primarily the responsibility of the State.

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\* Deputy Secretary in the Department of Higher Education, Ministry of Human Resource Development, Government of India

**1.1.3** The National Policy on Education provides that while non-government and voluntary effort including social activists group will be encouraged subject to proper management, steps will be taken to prevent the establishment of institutions set up to commercialise education. The Policy

also envisages that at least 6% of the Gross Domestic Product would be spent on education. According to the present thinking, 3% of the expenditure should be on elementary education and 1.5% on secondary education. Thus, 1.5% of GDP would remain to be spent on higher education. Due to financial constraint, it has so far not been possible to spend more than 4% of GDP on education. A statement indicating the amount spent on education as percentage of GDP during the few selected years is given below:

**TABLE 1**  
**Statement indicating the Public Expenditure on Education**

S.No.	Year	GDP at current prices (at factor cost) on the bases on 1993-94 year (Rs. in crore)	Expenditure on Education by Education & other Departments. (Rs. in crore)	Expenditure on Education by Education and other Departments as % of GDP
1	1951-52	10080	64.46	0.64
2.	1961-62	17116	260.30	1.52
3.	1971-72	44923	1011.07	2.25
4.	1981-82	152056	4298.29	2.83
5.	1991-92	589086	22393.69	3.80
6.	2001-02	*2090957	79865.70	*3.82
7.	2002-03	*2249493	89220.45	*3.97
8.	2003-04	*2516912	94163.44	*3.74

\* = provisional estimates

**1.1.4** Recently, major efforts have been mounted for mobilization of resources and it has been recommended that while the Government should make a firm commitment to higher education, institutions of higher education should make efforts to raise their own resources by raising the fee levels, encouraging private participation with appropriate regulation on the fee structure, and by generating revenues through consultancy and other activities. During the recent years, the Government has levied education cess on certain central taxes, as a measure for increased resource mobilization.

**1.1.5** In spite of several constraints, India has witnessed a rapid growth of institutions of higher education and diversification in areas of studies. Today, the Higher Education structure in India consists of 375 universities and equivalent institutions, which include general universities, science and technology universities, open universities, agricultural and medical universities, language universities and women universities. Besides, there are universities focusing on journalism, law, fine arts, planning and architecture and other specialized areas of studies. There are now more than 18000 colleges. Enrolment of students in higher education is more than 11 million. Taking into

account about 7.6 lakh enrolment in Open universities, the total enrolment in higher education is close to about 12 million. Taking into account about 7.6 lakh enrolment in Open universities, the total enrolment in higher education is close to about 12 million. There are more than 488 thousand teachers in the higher education system. About 87 thousand Indian students were studying in foreign universities in 2001-02 and around 8000 international students, notably from Asia and Africa, were studying in Indian universities in 2002-03.

**1.1.6** Under the constitutional provisions, Universities may be established by an Act of Parliament or a State Legislature. Certain institutions are accorded ‘deemed to be university’ status by the Central Government on the recommendation of the University Grants Commission (UGC) in terms of Section 3 of the UGC Act. Privately funded Universities may be established through a State/Central Act by a sponsoring body viz. a registered Society, a Public Trust or a Company registered under Section 25 of the Companies Act, 1956. There are a few Institutions, called Institutes of National Importance which are set up by Act of Parliament. There are also some equivalent institutions which were set up under various State Acts.

**1.1.7** The universities are of various types: with a single faculty or multi-faculties; teaching or affiliating, or teaching-cum-affiliating; single campus or multi-campus. Most of the Universities are “affiliating universities”, which prescribe to the affiliated colleges the course of study, hold examinations and award degrees. While under-graduate, and to some extent, post-graduate instructions is imparted by the colleges affiliated to them, Universities impart post graduate education as also promote and conduct research in various disciplines. Colleges are established by State Governments and private agencies. In some cases, universities themselves establish colleges. Most of the colleges seek support from the State Governments for their maintenance

**1.1.8** The structure of higher education consists of three years of education ( after 12 years of school education) leading to a Bachelor’s degree in arts, science and commerce, four years in professional fields like engineering and five years in the field of medicine. This is followed by two years of study for a Master’s degree; and at least three years beyond the Master’s degree for a Ph.D degree, which generally takes longer. There are also post-graduate diploma programmes open to graduates. Certain professional programmes like those in education and law requires a first degree as a pre-condition for admission in most of the places.

**1.1.9** A statement indicating the growth of higher education in India is given below:

**Table 2:**

Institutions	1950-51	1990-91	1996-97	2005-06
Universities	27	184	228	355
Colleges	578	6627	8529	18064
Enrolment ('000s)	263	4925	6755	11028
Teachers ('000s)	24.0	272.7	321	488

Source: UGC Annual Reports; and Selected Educational Statistics (New Delhi: Ministry of Human Resources Development) & Report of CAGE Committee on Financing of Higher and Technical Education, 2005

**1.1.10 Enrolments:** As against the total enrolment of about 200,000 students in the year 1950,

the present enrolment of students in universities and colleges has risen to 1,10,28,020, out of which 87.06% are enrolled in Affiliated Colleges in pursuit of undergraduate, postgraduate, research and diplomas, whereas only 13.03% are enrolled in the universities/ university colleges. A detailed stage-wise students' enrolment (2005-06) is given in Table 3 below.

**TABLE- 3**

No.	Stage	University Department/ University College	Affiliated Colleges	Total (% to Grand Total)	Percentage in Affiliated Colleges
1	Graduate	950892	8854085	9804977 (88.91%)	90.30
2	Post-Graduate	347096	691714	1038810 (9.42%)	66.58
3	Research	64161	6555	70716 (0.64%)	9.27
4	Diploma/ Certificate	64644	48873	113517 (1.03%)	43.05
	<b>Grand Total</b>	1426793	9601227	11028020 (100%)	87.06

(Source : UGC Annual Report: 2005-06)

**1.1.11 Open and Distance Learning in Higher Education:** Providing cost-effective quality education to large sections of population, including those living in remote and far-flung areas is a cardinal step towards democratizing higher education. With the rapid advancement of information and communication technologies (ICT), steps have been taken for the development of Open and Distance Learning (ODL). Besides the establishment of Indira Gandhi National Open University (IGNOU) in 1985, there are 11 State Open Universities working in close collaboration with IGNOU. These institutions offer various academic programmes that lead to certificates, diplomas and degrees. In its capacity as an apex body, IGNOU coordinates and monitors distance education system in higher education throughout the country. It has constituted a statutory Distance Education Council (DEC) and provides expertise and assistance to other open and distance learning institutions in the country.

The general academic programmes offered by ODL institutions include:

- Doctoral Programmes
- Bachelor's Degree and Master's Degree Programmes

- Computer and Library & Information Sciences
- Journalism, Communication and Creative Writing
- Health, Nutrition and Child Care
- Engineering & Rural Development
- Education & Distance Education
- Management & Tourism Studies
- Women and Youth Development
- Area Specific Awareness & Manpower Development Programmes

### **Statutory Bodies in Higher Education**

**1.1.12** Entry 66 in the Union List of the Constitution gives exclusive Legislative Power to the Central Government for co-ordination and determination of standards in institutions of higher education or research, and scientific and technical institutions. The Union Government is responsible for major policies relating to higher education in the country.

**1.1.13** The University Grants Commission (UGC) was established in 1952 and was constituted as a statutory body under an Act of Parliament in 1956. The establishment of the UGC was the first major legislative measure initiated by the Government of India (GOI) under the constitutional provision reserving to it the powers for coordination and determination of standards in universities. The primary responsibility of the Commission is to promote and coordinate university education in the country and to ensure that the standards are maintained in teaching, research and examinations. In performing these functions, the UGC allocates and disburses grants placed at its disposal by the Central Government to the Universities, after an assessment of their needs. The Commission provides the development and maintenance grants to universities established under the Acts of Parliament and only development grants to those established by state legislatures.

**1.1.14** The All India Council for Technical Education (AICTE) was set up in 1948 as an advisory body to assist the Central Government in the planning and development of technical education at the post-secondary level. Education in engineering and technology, architecture, management and pharmacy is within the purview of the AICTE. In 1988, the AICTE was constituted as a statutory body under an Act of Parliament. The major function of the AICTE is the planned and coordinated development of technical education in the country. In the performance of its functions, the AICTE works in close coordination with the UGC as far as technical education programmes offered by the Universities is concerned.

**1.1.15** In discharging its responsibility, towards coordination and maintenance of standards in various fields of higher education, the Central Government has established a number of regulatory and statutory bodies. A list of such bodies and their mandates are given below.

**TABLE 4: List of Regulatory and Statutory Bodies in Higher Education**

<b>S.No.</b>	<b>Name of the Body</b>	<b>Mandate</b>
1	University Grants Commission	<ul style="list-style-type: none"> <li>• Co-ordination, determination and maintenance of standards in higher education.</li> <li>• Release of grants to individual institutions</li> </ul>
2	All India Council for Technical Education	<ul style="list-style-type: none"> <li>• Proper planning &amp; co-ordinated development of technical education system throughout the country.</li> </ul>

3	Distance Education Council	<ul style="list-style-type: none"> <li>• Promotion of Open University and Distance Education systems in the educational pattern of the country and for coordination and determination of standards of teaching, evaluation &amp; research in such systems</li> </ul>
4	Indian Council of Agricultural Research	<ul style="list-style-type: none"> <li>• Co-ordination of agricultural research and development programmes and develop linkages at national and international levels with related organisations to enhance the quality of life of the farming community.</li> </ul>
5	Bar Council of India	<ul style="list-style-type: none"> <li>• Co-ordination, determination and maintenance of standards in legal education and profession.</li> </ul>
6	National Council for Teacher Education	<ul style="list-style-type: none"> <li>• Achieving planned and co-ordinated development of the teacher education system throughout the country, the regulation and proper maintenance of norms and standards in teacher education and for matters connected therewith.</li> </ul>
7	Rehabilitation Council of India	<ul style="list-style-type: none"> <li>• Standardization and regulation of training of personnel and professionals in the field of Rehabilitation and Special Education.</li> </ul>
8	Medical Council of India	<ul style="list-style-type: none"> <li>• Establishment of standards in medical education and to define medical qualifications in India and abroad.</li> </ul>
9	Pharmacy Council of India	<ul style="list-style-type: none"> <li>• Prescription, regulation and maintenance of minimum educational standards for the training of pharmacists uniformly in the country.</li> </ul>
10	Indian Nursing Council	<ul style="list-style-type: none"> <li>• Regulation and maintenance of uniform standards of training for Nurses, Midwives, Auxilliary Nurse-Midwives and Health Visitors</li> </ul>
11	Dental Council of India	<ul style="list-style-type: none"> <li>• Regulation of the Dental Education, Dental Profession, Dental ethics in the country and recommend to the Government of India to accord permission to start a Dental College, start higher courses and increase of seats.</li> </ul>
12	Central Council of Homeopathy	<ul style="list-style-type: none"> <li>• Maintenance of the Central Register of Homoeopathy.</li> </ul>
13	Central Council of Indian Medicine	<ul style="list-style-type: none"> <li>• Maintenance of the Central Register of Indian Medicine</li> </ul>
14	Council of Architecture	<ul style="list-style-type: none"> <li>Regulation of the education and practice of Architectural profession throughout India besides maintaining the register of architects</li> </ul>

### 1.1.16 State Councils of Higher Education

In pursuance of the National Policy on Education (NPE) 1986 as modified in 1992, the States were required to set up State Councils of Higher Education for the purpose of providing an effective platform for planning and coordination of higher education in the State. These Councils were primarily aimed at bringing about qualitative improvement in higher education. The following

States have set up Council/Advisory Boards for higher education:

1. Andhra Pradesh State Council for Higher Education, Andhra Pradesh, Hyderabad
2. State Advisory Board for Higher Education & Culture, Himachal Pradesh, Shimla
3. Uttar Pradesh State Council of Higher Education, Uttar Pradesh, Lucknow
4. Tamil Nadu State Council for Higher Education, Tamil Nadu, Chennai
5. West Bengal State Council for Higher Education, West Bengal, Kolkata
6. State Advisory Board for Higher Education, Tripura, Agartala
7. State Advisory Board for Higher Education, Arunachal Pradesh, Itanagar

## **1.2 Recent reforms in higher education policies and higher education institutions**

**1.2.1** An important aspect of the National Policy on Education is to ensure the protective discrimination for a large number of under-privileged sections of the society. It aims at enabling them, through reservation of seats in higher education, to get access to colleges and universities. In order to provide for greater access to certain under-privileged groups of the society, namely “the other backward classes’, the Constitution has been amended in 2005 to provide for reservation of seats for students belonging to such groups, in addition to those belonging to Scheduled Caste and Scheduled Tribe, in certain educational institutions. A Central Act has also been legislated to provide for reservation of seats for these categories in certain educational institutions funded, maintained or aided by the Central Government, without affecting the number of seats available for general merit category.

**1.2.2** The National Commission for Minority Educational Institutions was set up on 11<sup>th</sup> November, 2004 to advise the Central Government or any State Government on questions relating to the education of minorities, to look into complaints regarding violation of the constitutional protection guaranteed to minorities to establish and administer educational institutions of their choice and also to permit minority educational institutions to seek affiliation to scheduled central universities.

**1.2.3** The All India Council for Technical Education (AICTE), a statutory body, established for proper planning & co-ordinate development of technical education system throughout the country, issued Notification on ‘Regulations for entry and operation of foreign universities/ institutions imparting technical education in India’ in May 2005. These regulations had superseded the earlier Regulation issued by AICTE in the year 2003. The objectives of the present Regulations are as follows: -

- To facilitate collaboration and partnership between Indian and foreign Universities/Institutions in the field of technical education, research and training;
- To systematize the operation of Foreign Universities/Institutions already providing training and other educational services including that of coaching of students, in India leading to award of degree and diploma in technical education, either on their own or in collaboration with an Indian Educational Institution, under any mode of delivery system such as conventional/formal, non-formal and distance mode.
- To safeguard the interest of students’ community in India and ensure uniform maintenance of Norms and Standards as prescribed by various Statutory Bodies;

- To enforce accountability for all such educational activities by Foreign Universities/Institutions in India;
- To safeguard against entry of non-accredited Universities/Institutions in the country of origin to impart technical education in India.
- To safeguard the nation's interest and take punitive measures, wherever necessary, against the erring institutions, on case-to-case basis.

**1.2.4** The policy of the Government is to bring about improvement in information infrastructure and develop quality education through Information and Communication Technology (ICT) integration in the higher education institutions in the country. The UGC has launched programmes to bring about a qualitative change in the academic infrastructure for higher education. UGC-Infonet is one of the ambitious programmes for building high speed Nation-wide Communication Network for Indian Universities. At present 149 universities across the country are connected under this project. To provide electronic access over the internet to scholarly literature in all areas of learning to the University sector in India, a bouquet of E-Journals access to about 4400 journals and data bases are made available to 100 universities. The Government has already launched a dedicated educational satellite (EDUSAT) with the capacity to telecast 72 channels, only for educational purposes.

**1.2.5** The University Grants Commission has made it mandatory for all universities to get themselves accredited, in a time bound manner, by the National Assessment and Accreditation Council (NAAC), an autonomous body under the UGC set up to assess and accredit institutions of higher learning (universities and colleges) and initiate and monitor mechanisms for the promotion and sustenance of quality.

### **1.3 Emergence of new providers in higher education**

**1.3.1** Under the Indian System both the Central and the State Governments have the responsibility for the planned development of higher education. A number of developments have taken place regarding private initiatives in higher education. Amongst the notable points in this regard are mentioned the following:

- Establishment of privately funded universities by various State Governments through their own legislations.
- Conferment of the status of ' Deemed to be University' to the eligible education institutions under Section 3 of the UGC Act, 1956.
- Entry of Foreign Education Providers through different kinds of collaborations.

**1.3.2 Privately funded universities** may be established through a State/Central Act by a sponsoring body viz. a Registered Society, or a Public Trust, or a Company registered under Section 25 of the Companies Act, 1956. Some States in the recent past have established private universities through State legislations. In order to regulate the standards of higher education in such institutions, the University Grants Commission notified in December 2003, a Regulation, namely, *UGC (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003*. These

regulations provide for guidelines required to be followed by the private universities. As per the latest information, there are 11 private universities recognized by the University Grants Commission. Besides, a number of private education providers have opened up in various professional fields like Engineering, Medicine, Management etc. Many of the State Governments have framed laws/regulations to regulate the fee structure of such professional institutions.

**1.3.3 Deemed to be Universities:** Certain institutions are given deemed to be university status by the Central Government on the recommendation of the University Grants Commission (UGC) in terms of Section 3 of the UGC Act. Some of these institutions offer advanced level courses in a particular field of specialization, while others award general degrees. At present, there are about 109 such universities.

#### **1.3.4 Foreign Institutions in India**

A large number of Foreign Educational Institutions are reportedly operating in India since mid 1990s. While some of them are well known institutions it is understood that a number of them are resorting to malpractices to allure and attract students. In the absence of any regulatory mechanism, there is no reliable data about the number of such foreign education providers. The details in this regard has been discussed in the next Chapter on Situation Analysis of Cross –Border Higher Education. (Para 2.4 – Foreign Institutions in India)

## **2. Situation Analysis of Cross- Border Higher Education**

### **2.1 Movement of academic staff, students, programmes and institutions across borders**

**2.1.1** Cross-border education is a significant development in the present era of globalisation. This is of particular importance in the case of higher education where many new forms of post-secondary education have emerged over the past two decades, ranging from face to face to a distance education programmes. Cross-border higher education refers not only to mobility of students but also the mobility of academic staff, educational programmes and institutions across national borders.

**2.1.2** The General Agreement on Tariffs and Trade (GATT) came into existence in 1947 to manage international trade through multilateral trade agreements. India was one of the 23 founder members of the GATT. With the increasing importance of service sector in the world economy, the member countries of WTO in 1996 agreed to sign a General Agreement on Trade in Services (GATS) which covered services of international trade at par with merchandise trade. This agreement in general covers the various services including education services. The WTO has identified four different modes of trade in education that received legal protection through GATS:

- ***Cross-Border Supply*** of a service includes any type of course that is provided through distance education or the internet, any type of testing service, and educational materials which can cross national boundaries. (Mode 1)
- ***Consumption Abroad*** mainly involves the education of foreign students and is the most common form of trade in educational services. (Mode 2)
- ***Commercial Presence*** refers to the actual presence of foreign investors in a host country. This would include foreign universities setting up courses or entire institutions in another country. (Mode 3)

• ***Movement of Natural Persons*** refers to the ability of people to move between countries to provide educational services. (Mode 4)

**2.1.3** In each of these modes, exceptions can be made under the conditions of Market Access and National Treatment. Under Education Services, the revised offer made by India was to partially open up the Higher Education Sector under the condition that Higher Education Institutions can only charge fee as fixed by an appropriate authority and that such fees do not amount to charging capitation fee or lead to profiteering. The provision of the Higher Education services would also be subject to regulations already in place or to be prescribed by an appropriate regulatory authority.

**2.1.4** So far as developing countries are concerned trade in education offers opportunities not in terms of direct gains but in terms of embodied gains – gains resulting from a large number of students acquiring better education and specialized skills and the teachers and the researchers being exposed to new curricula, delivery practices, evaluation methods, besides their increasing specialization in the disciplines of their choice. This would then provide medium and long term benefits to the country when students remit part of their earnings or when they return back to their home countries and join any organization. On the other hand, mobility of teachers helps them to practice some of their experiences earned abroad in their own countries. Some countries in South Asia are already experiencing the entry of foreign universities in their respective countries. The present experience is that entry is purely guided by commercial motives, and that too, in limited areas.

**2.1.5** Government of India, through All India Council for Technical Education (AICTE), has brought out regulations for entry and operation of foreign universities/ institutions imparting technical education in India. In order to regulate the entry and operation of foreign education providers a legislative proposal is under consideration of the Government. The concern is to maintain the quality and standard of education, prevent entry of ‘fly by night’ operators, prevent commercialization, to safeguard students’ interests, and also to ensure hassle free entry of reputed foreign institutions.

**2.1.6** It may be noted that Government of India has allowed by virtue of Press Note 2 (2000 Series) dated the 11<sup>th</sup> February, 2000 of the Ministry of Commerce and Industry, Foreign Direct Investment (FDI) upto 100% on the automatic route in the Education Sector, subject to sectoral rules/regulations as may be applicable.

## **2.2 Inflow of Foreign Students in India**

**2.2.1** There is no centralized data available on the inflow of foreign students in India. According to an estimate\*, the total number of international students in the year 2002 was about 1.8 million. This number is likely to grow to 7.2 million by 2025. Interestingly, more than half of the students would be from Asian countries. The United States of America (USA) topped the list in attracting over 582,000 international students in the year 2001-02 followed by Great Britain with 200,000. Other countries like Germany, France and Australia attract over 100,000 international students a year. According to the figures of Association of Indian Universities (AIU), the number of foreign students in India went down from 13,707 in 1993-94 to 7,791 in 2000-01. A majority of these students are from the neighboring countries like Bangladesh, Sri Lanka, Mauritius, Nepal, Bhutan, etc.

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\* Report from the CABE Committee on Autonomy of Higher Education Institutions 2005

## 2.3 Outflow of Indian students abroad

**2.3.1** A Statement showing the number of Indian students studying in selected Foreign Universities is given below: The Table shows that USA is the most preferred destination for Indian students who want to go abroad for higher studies from India followed by UK, Australia and Canada.

**Table 5**

Country Wise Number of Students Studying in Foreign Universities

Name of the Country	Number of Indian Students Studying in		
	1999-2000	2000-01	2001-02
Australia	4578	6195	9539
Belgium	113	129	137
Canada	867	M	M
France	185	239	309
Germany	1282	1412	2196
Italy	67	115	138
Japan	195	202	199
Malaysia	91	714	497
New Zealand	201	355	952
Norway	102	103	114
Philippines	83	66	80
Sweden	85	97	122
Switzerland	93	120	162
Thailand	M	56	104
United Kingdom	3962	4302	6016
United States	39084	47411	66836
Total	43046	55192	77725
Grand Total of all those 49 Countries where Indian students are studying	51414	61977	87987

M = Not Available

Source: Organisation of Economic Co-operation and Development – UNESCO Institute of Statistics

**2.3.2** In this era of Globalization and Internationalization of higher education the movement of skilled and unskilled persons will definitely grow in a larger proportion. Along with movement of labour forces across borders, a lot of movements will also occur among students, teachers and researchers. However the main challenges for the policy makers will be to raise the standard and quality of higher education across Indian universities, keeping in view the larger educational goals of access and equity. Along with this, the challenge will also be there to ensure that the foreign institutions coming to India also fit in with the developmental goals of the nation.

## 2.4 Foreign Institutions in India

**2.4.1** The 1990's saw the emergence of foreign universities in collaboration with private institutions in India. In the absence of any centralized policy or regulatory regime in the country, there is no reliable statistics about the number and mode of operation of such foreign education providers in the country. According to a study conducted by the Association of Indian Universities, based on the advertisements of foreign education providers related to higher education during the period January to June, 2005, 211 foreign providers were operating on their respective home campus, 31 were operating in India, and 11 were operating in India under twinning programme. A research study conducted by National University of Educational Planning and Administration (NUEPA) (formerly known as the National Institute of Educational Planning and Administration) on 'Foreign Education Providers in India' brings out some of the salient features of their operation. According to the study, there were 131 Indian institutions collaborating with foreign institutions. The list, however, may not be fully exhaustive. In different States, the foreign education providers were concentrated in metropolitan cities and some other cities where the prospects of vocational courses exist on a large scale. Information also shows that at present only USA and UK have shown their interests in making collaboration with Indian partners. There are other potential countries such as Australia, New Zealand and Canada who are constantly watching the developments and the government stand on any regulation regarding Foreign Education Providers.

**2.4.2** According to the NUEPA Study Report, majority of the Foreign Education Providers provide professional/vocational courses. Out of the total sample of 131 institutions, 107 were providing for vocational courses, 19 for technical course and only 5 for general education. The data shows that in the category of vocational courses – management courses were the most popular. Business Management and Hotel Management constitute approximately 80% of the total number of courses.

**2.4.3** The Commercial Presence of foreign institutions has led to the multiple methods of collaboration to deliver any foreign programme. Some of the programmes used only one method while some used multiple methods for the same programme. The collaborative arrangement under the commercial presence varies from institution to institution. There are, in general, four categories of delivery of foreign programmes in India.

**Table 6**

Types of Operation of Foreign Institutions in India

<b>Types of Collaboration</b>	<b>No. of Collaboration</b>
Twining Arrangement	30
Franchise	2
Offshore Campus/ Branch Campus	0
Programmatic collaboration include joint course design, credit transfer etc	18

*Source: Above result is based on a sample of 50 institutions, taken from 'Foreign Education Providers in India', NIEPA, New Delhi, 2005*

## **2.5 Indian Institution Abroad**

**2.5.1** Many Indian institutions are opening their branch campuses abroad and are rated high in quality. However, the number of such institutions abroad is lesser than foreign institutions in India. In the higher education segment, some deemed universities such as Birla Institute of Technology (BITS) Pillani and Manipal Academy for Higher Education (MAHE), Manipal, besides some public institutions like Delhi University, Indira Gandhi National Open University (IGNOU), Shreemati Nathibhai Damodar Thackersey (SNDT) college, Mysore university and Madras university, are making their presence felt abroad. There are good prospects of popularizing Indian education abroad by enlarging the participation of Indian universities by taking pro-active measures.

**2.5.2** The contribution of Indian students in the Silicon Valley has helped in enhancing the brand value and the global standard of our IT Sector. Besides, the students from India wherever they have gone have excelled in their field. The recent success of Business Process Outsourcing (BPO) has also helped to ensure the competitive strength of the educational institutions and the human resources in India. This has increased the awareness among the various countries around the world about the high standards of Indian education system. The success of Indian students abroad is also one of the factors which has motivated students from South and South-East Asia, Middle-East and Africa to choose India as a destination for higher education, where the education is not only of good quality but also of lower cost, compared to the developed countries.

**2.5.3** The Government has created an exclusive scheme called *Direct Admission of Students Abroad (DASA)* wherein 15 per cent of seats have been reserved (by creating supernumerary seats) in universities and premier technical institutions for foreign nationals/People of Indian Origin (PIOs)/Non-Resident Indians (NRIs).

**2.5.4** UGC has initiated a programme for the Promotion of Indian Higher Education Abroad (PIHEAD), during the tenth five-year plan (2002-07). Under this initiative, UGC has embarked upon a focused nationally coordinated programme to attract international students and to promote Indian Institutions to offer programmes abroad.

## **2.6 Issues Relating to Cross Border Education**

**2.6.1** As earlier mentioned, education in India is considered as a social service. It is accorded a status of public good, and not for profit making. The National Policy on Education, 1986 (as modified in 1992), provides that “Non-government and voluntary effort including social activist groups will be encouraged subject to proper management, and financial assistance provided. At the same time, steps will be taken to prevent the establishment of institutions set up to commercialise education.” Recently, the recognition of education sector as a tradable service sector under the General Agreement on Trade and Services (GATS) under the World Trade Organisation (WTO) regime has made it imperative for many countries to understand the duality of education as a social and tradable service. There is a genuine cause for concern that the present symbolic presence of foreign educational institutions in India may, in future, turn towards commercialization. This would go against the Central policy and the Supreme Court’s views in numerous judgments that education in India is not for profit.

**2.6.2** Foreign Direct Investment (FDI) through automatic route has been permitted in Education Sector in India since 2000. However, investment under automatic route shall continue to be

governed by the notified sectoral policy and equity caps. As per India's last offer to GATS in WTO in Mode 3 relating to education (August, 2005), there may be no limitations on market access, subject to the condition that fees to be charged can be fixed by an appropriate authority and that such fees do not lead to charging of capitation fees or to profiteering, and subject further to such regulations, already in place or to be prescribed by the appropriate regulatory authority. In the case of foreign investors having prior collaboration in that specific service sector in India, approval of the Foreign Investment Promotion Board would be required. There are no limitations on providing National Treatment. These are still offers, not a commitment, and the Sectoral Policy is yet to be decided.

### **3. National Policies and Practices on Quality Assurance and Mutual Recognition of Qualifications in Higher Education**

#### **3.1 National Framework and Agencies – Names, Functions, Division of Roles among these Agencies, Etc.**

**3.1.1** A list of National level agencies established for coordination and maintenance of standards in various fields of higher education has been given in Table 4 (para 1.1.15 ) of this Report. The functions of the University Grants Commission and All India Council for Technical Education have been mentioned in detail in para 1.1.13 and 1.1.14 respectively. A brief account of the other agencies are indicated below:

##### Medical Council of India (MCI)

**3.1.2** The Medical Council of India (MCI) was set up by the Indian Medical Council Act, 1956, amended in 1993. The council is empowered to prescribe minimum standards for medical education required for granting recognized medical qualifications by universities or medical institutions in India. The Council is empowered to make regulations relating to: the course and period of study, including duration of practical training to be undertaken the subjects of examination, and the standards of proficiency therein to be obtained in universities or medical institutions for grant of recognized medical qualifications; the standard of staff, equipment, accommodation, training and other facilities for medical education; and the conduction of professional examinations, qualifications of examiners, and the conditions of admissions to such examinations. The Council is also responsible to give its recommendations to the Central Government for establishing new medical colleges, opening of new or higher courses of study and increase in admission capacity in any courses of study or training.

##### Indian Council for Agricultural Research (ICAR)

**3.1.3** ICAR has established various research centres in order to meet the agricultural research and education needs of the country. It is actively pursuing human resource development in the field of agricultural sciences by setting up numerous agricultural universities spanning the entire country. It provides funding to nearly 30(Thirty) State Agricultural Universities, one Central University and several Deemed Universities.

### National Council for Teacher Education (NCTE)

**3.1.4** The National Council for Teacher Education is a statutory body set up under the National Council for Teacher Education Act, 1993 to facilitate planned and coordinated development of the teacher education system in the country, and for regulation and proper maintenance of norms and standards in the teacher education system. The mandate given to the NCTE is very broad and covers the whole gamut of teacher education programs including research and training of persons to equip them to teach at pre-primary, primary, secondary and senior secondary stages in schools, and non-formal education, part-time education, adult education and distance (correspondence) education courses. The Council is empowered to grant recognition of institutions offering courses or training in teacher education.

### Dentists Council of India (DCI)

**3.1.5** Dentists Council of India, constituted under the Dentists Act, 1948, is a Statutory Body incorporated under an Act of Parliament to regulate the dental education and the profession of Dentistry throughout India. The Council is responsible for according recognition to dental degree awarded by various universities and also for maintaining uniform standards of dental education in India. The Dental Council of India (DCI) lays down minimum requirements in respect of staff and infrastructure and prescribes the syllabus and the scheme of examinations.

### Pharmacy Council of India (PCI)

**3.1.6** The Pharmacy Council of India (PCI), also known as Central council, was constituted under section 3 of the Pharmacy Act, 1948. The PCI controls pharmacy education and profession in India up to graduate level. The Council prescribes the minimum standard of education for qualification as pharmacist. The Council prescribes: The nature and period of study of practical training to be undertaken before admission to an examination; the equipment and facilities to be provided for students undergoing approved courses of study; the subject of examination and the standards therein to be attained; and any other conditions of admission to examinations

### Indian Nursing Council (INC)

**3.1.7** The Indian Nursing Council is a statutory body constituted under the Indian Nursing Council Act, 1947. The Council is responsible for regulation and maintenance of a uniform standard of training for Nurses, Midwives, Auxilliary Nurse-Midwives and Health Visitors. Amongst other things, the Council is empowered to make regulations for: prescribe the standard curricula for the training of nurses, midwives and health visitors; and for training courses for teachers of nurses, midwives and health visitors, and for training in nursing administration; prescribes conditions for admission to above courses; and prescribes standard of examination and other requirements to be satisfied for securing recognition.

### Bar Council of India (BCI)

**3.1.8** The Bar Council of India is empowered to make rules to discharge its functions under the Advocates Act 1961. An important rule-making power is with reference to laying down guidelines for the standards of professional conduct and etiquette to be observed by advocates. The Bar Council of India Rules may prescribe for a class or category of person entitled to be enrolled as

advocate, and can also specify the conditions subject to which an advocate must have the right to practise and the circumstances under which a person must be deemed to practise as an advocate in a court

#### Central Council of Homeopathy (CCH)

**3.1.9** The Central Council of Homeopathy was established under the Homeopathy Central Council Act, 1973. The Council prescribes and recognizes all homeopathic medicine qualifications. Any university or medical institutions that desires to grant a medical qualification in homeopathy is required to apply to the Council. The Council is responsible for constitution and maintenance of a Central Register of Homeopathy and for matters connected therewith. All universities and Board of medical institutions in India are required to furnish all information regarding courses of study and examination..

#### Central Council for Indian Medicine (CCIM)

**3.1.10** The Central Council of Indian Medicine is the statutory body constituted under the Indian Medicine Central Council Act, 1970. This Council prescribes minimum standards of education in Indian Systems of Medicine viz. Ayurved, Siddha, Unani Tibb. The Council is responsible to maintain a Central Register on Indian Medicine and prescribes Standards of Professional Conduct, Etiquette and Code of Ethics to be observed by the practitioners. The Council is responsible to frame regulations with respect to: the courses and period of study, including practical training to be undertaken, the subject of examinations, and the standards of proficiency therein to be obtained in any university, board or medical institution for grant of recognized medical qualifications; the standard of staff, equipment, accommodation, training and other facilities for education in Indian medicine; and the conduct of professional examinations, etc.

#### Council of Architecture

**3.1.11** The Council of Architecture (COA) was constituted under the provisions of the Architects Act, 1972, enacted by the Parliament of India. The Act provides for registration of Architects, standards of education, recognized qualifications and standards of practice to be complied with by the practicing architects. The Council of Architecture is responsible to regulate the education and practice of profession throughout India besides maintaining the register of architects. Any person desirous of carrying on the profession of "Architect" must register himself with Council of Architecture. The registration with Council of Architecture entitles a person to practice the profession of architecture, provided he holds a Certificate of Registration with up-to-date renewals. The registration also entitles a person to use the title and style of Architect. The Council prescribes qualifications and standards of education being imparted in institutions imparting architecture education. It set forth the requirement of eligibility for admission, course duration, standards of staff & accommodation, course content, examination, etc. These standards as provided in the said Regulations are required to be maintained by the institutions. The COA oversees the maintenance of the standards periodically by way of conducting inspections through Committees of Experts. The COA is required to keep the Central Government informed of the standards being maintained by the institutions and is empowered to make recommendations to the Government of India with regard to recognition and de-recognition of a qualification.

## Distance Education Council

**3.1.12** Distance Education Council was constituted under statute 28 arising from Section 25 of the Indira Gandhi National Open University Act, 1985. The Distance Education Council (DEC) is responsible for the promotion and coordination of the open university and distance education system and for determination of its standards. The Council provides academic guidelines to promote excellence, encourage use of innovative technologies and approaches, enable convergence of all systems and sharing of resources through collaborative networking for access to sustainable education, skill upgradation and training to all.

## Rehabilitation Council

**3.1.13** The Rehabilitation Council of India was set up as a registered society in 1986. However, it was soon found that a Society could not ensure proper standardization and acceptance of the standards by other Organizations. The Parliament enacted Rehabilitation Council of India Act in 1992. The Rehabilitation Council of India become Statutory Body on 22nd June 1993. The RCI Act was amended by the Parliament in 2000 to work it more broad based. The Act casts onerous responsibility on the Council. It also prescribes that any one delivering services to people with disability, who does not possess qualifications recognised by RCI, could be prosecuted. Thus the Council has the twin responsibility of standardizing and regulating the training of personnel and professional in the field of Rehabilitation and Special Education.

**3.1.14. Association of Indian Universities (AIU)**, which is a registered Society, deals with the ‘equivalence’ of foreign degrees. It has brought out a number of publications including “Universities Handbook” which is a comprehensive Publication containing the names of all the Universities – complete postal address, telephone/fax numbers, affiliated Colleges, etc. The book also contains information on all the university courses at undergraduate, postgraduate, doctorate and post-doctorate levels in various disciplines including medical, engineering, management, computer, agriculture etc. their eligibility requirements, duration physical facilities, faculty positions etc. the aforesaid publication is available at India Mission abroad for reference/Information of the students. The details of the foreign examinations recognized by AIU, as well as by the Universities in the country have been incorporated in publication ‘Equivalence of Foreign Degrees’. The equivalence is established on course to course basis. Normally, the proposals for equivalence of foreign qualifications is received through the Indian Missions abroad, or through the University concerned.

## **3.2 Degree Conferring Agencies, Quality Assurance Agencies, Accreditation Bodies**

**3.2.1** Universities are established by an Act of Parliament or the Legislative Assemblies of States, that lay down the procedures for the functioning of the university and its institutions. The domestic regulations in higher education in India fall under the scope of constitutional provisions, particularly, entry 66 of list I of the Seventh Schedule of the Constitution of India, according to which coordination and determination of standards in institutions for higher education or research and scientific and technical institutions falls under the jurisdiction of the Central Government. The University Grants Commission which has been established by an Act of Parliament in 1956 is responsible for the coordination, determination and maintenance of standards of university education. According to Section 22 of the University Grants Commission Act, 1956, 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. According to the definition given in Section 22(3) of the UGC Act, 1956, 'degree' means any such degree as may, with the previous approval of the Central Government, be specified by the Commission by notification in the official gazette.

**3.2.2** The system of higher education, like any other system, requires performance evaluation, assessment and accreditation of universities and colleges in the country. In this connection, the UGC under section 12(ccc) established National Assessment and Accreditation Council (NAAC) in 1994. The philosophy of NAAC is based on objective and continuous improvement rather than being punitive or judgmental so that all institutions of higher education are empowered to maximize their resources, opportunities and capabilities. Assessment is accomplished using defined criteria. The main purpose of assessment and accreditation is improvement and enhancement of quality, recognizing excellence, accountability, information providing and benchmarking. The process is aimed at strengthening and sustaining the quality and credibility of higher education making it worthy of public confidence and minimizing the scope of external control. The Vision and the Mission of the NAAC is given below:

**Vision:**

To make quality the defining element of higher education in India through a combination of self and external quality evaluation, promotion and sustenance initiatives.

**Mission :**

- To arrange for periodic assessment and accreditation of institutions of higher education or units thereof, or specific academic programmes or projects;
- To stimulate the academic environment for promotion of quality of teaching-learning and research in higher education institutions;
- To encourage self-evaluation, accountability, autonomy and innovations in higher education;
- To undertake quality-related research studies, constancy and training programmes, and
- To collaborate with other stakeholders of higher education for quality evaluation, promotion and sustenance.

**3.2.3** As regards Quality Assurance and Accrediting Bodies, it is mentioned that quality is difficult to be conceptualized, let alone to be measured. It has such a multidimensional characteristics that no single variable or a set of variables can capture it. However at a simple level it is possible to have some understanding of quality in terms of certain parameters. Any quality assurance mechanism is aimed to make certain things a little more obvious than hidden. To ensure quality in higher education institutions, National Assessment and Accreditation Council (NAAC) has been able to identify top quality colleges and universities through the process of external accreditation. A quality movement through the Internal Quality Assurance Cell and government initiative to support the quality upgradation needs to be built, as quality is the top concern for the mutual recognition of degrees. NAAC has completed the process of assessment and accreditation of 131 universities and 3074 colleges till April 2007. More institutions are under assessment and accreditation. The accredited institutions are rated on a 9-point scale ranging from A<sup>++</sup> to C supplemented by a qualitative report that highlights the strengths and weaknesses of the institution. UGC has made it mandatory for all universities to get themselves accredited by NAAC in a time bound manner.

**3.2.4. National Board of Accreditation :** The All India Council of Technical Education (AICTE)

set up the National Board of Accreditation (NBA) in September 1994, in order to assess the qualitative competence of educational programs in the engineering and related areas from the diploma level to the postgraduate level. While AICTE takes care of the regulatory role, NBA does program accreditation. NBA awards accreditation status to programmes as *Accredited for five years*, *Accredited for three years* and *Not Accredited (NA)* depending on the marks received on a 1000 point scale. There has been accelerated effort in accreditation of programmes. Total number of programmes accredited by NBA is about 1522. (2005-06) The NBA had applied for provisional membership to the Washington Accord Secretariat on February 3, 2003, and the proposal is under consideration.

**3.2.5** The Indian Council for Agriculture Research (ICAR) established its Accreditation Board (AB) in 1996 to set, enforce and monitor compliance with norms and standards for agricultural education in India. The Distance Education Council and the National Council of Teacher Education are working on their accreditation procedures in collaboration with NAAC. Some of the other professional bodies are attempting to establish their own accreditation bodies. The response of the higher education system to the quality assurance mechanisms has been very positive and encouraging. Until and unless there is a uniformity in quality and standard of education of the member-countries the effectiveness of such forum cannot be enhanced.

### **3.3 Recognition Of Qualifications Awarded By Higher Education Institutions Within And Outside The Country: Laws And Policies Adopted Since 2000, Etc.**

**3.3.1** The University Grants Commission (UGC), India's premier regulatory body for higher education provides for the list of degrees specified for the purposes of Section 22 of the University Grants Commission Act, 1956. Ensuring recognition of qualifications within the country is well in place, as the usage of the term "University" is regulated by UGC and the degree awarding power is vested only with university level institutions. Further, the consistency of the nomenclature of the awards is ensured through a *registry*, which is periodically updated and published by UGC, for the benefit of the institutions and other stakeholders. These features have enabled all the full member universities of Association of Indian Universities to formally agree to recognize the awards of each other on a reciprocal basis. Universities from Mauritius, Nepal and Bhutan have become Associate Members of AIU fulfilling the criteria laid down by AIU and they enjoy the recognition benefits.

**3.3.2** India ratified the Regional Convention of UNESCO for recognition of studies, diplomas and degrees in higher education in Asia and the Pacific adopted at the conference of states in Bangkok in 1983, on 2nd August 2000, which came into force on 2nd September 2000. Although the regional convention has promoted a congenial atmosphere to remove the procedural bottlenecks to make cross border mobility possible, this does not guarantee automatic recognition of qualifications, and the national institutions continue to follow their own screening mechanisms and criteria. In the process of screening, the reservations expressed by the institutions are on three major issues:

- (i) Inconsistency in the levels and structure of the different national systems of higher education,
- (ii) Lack of appropriate mechanisms that assure the quality of educational provisions in some countries, and
- (iii) Absence of a reliable mechanism or nodal agencies that can be referred to on mutual recognition issues.

## **4. International co-operation, bilateral and multilateral Agreements**

### **4.1 Activities and actions undertaken to date to enhance international and regional co-operation concerning mutual recognition of qualifications in higher education**

**4.1.1** In India, Educational Exchange Programmes (EEPs) are taken up with various countries with a view to giving a more focused attention to bilateral collaborations. Recently, EEPs/Memorandum of Understanding (MOU) have been signed with a host of countries e.g., Afghanistan, Croatia, Ecuador, Saudi Arabia, Rwanda, China and South Africa. EEPs with Mongolia, Armenia, Israel, Guyana, Australia, Hungary, Myanmar, Syria, Tanzania, Uzbekistan, New Zealand, Brazil, Thailand, Sri Lanka and Mexico had been signed earlier. Proposals for EEPs with about 30 countries including USA, Malaysia, Yemen, Libya, Portugal, Vietnam and Kazakhstan are at various stages of negotiation. In addition, MOUs for mutual recognition and equivalence of degree, diploma, and other educational qualifications with several countries like Armenia, Ukraine, Russia and China are under consideration.

**4.1.2.** The University Grants Commission on behalf of the Government of India has been implementing the Bilateral Exchange Programmes in the field of higher education between India and other countries. In 2005-06, such programmes have been in operation with 23 countries, and Educational Exchange Programmes with 11 countries. UGC hosted the visit of 42 foreign scholars from various countries and arranged programmes at different institutions in India. 55 India scholars were deputed abroad under these programmes. Other agencies like the All India Council for Technical Education, have also have their programmes of inviting Visiting Professors as a part of mobility of teachers

### **4.2 Bilateral and multilateral agreements for recognition of qualifications in higher education**

**4.2.1** As already discussed in this report, Universities in Mauritius, Nepal and Bhutan have taken Associate Membership of the Association of Indian Universities and enjoy mutual recognition benefits. MOUs for mutual recognition and equivalence of degree, diploma, and other educational qualifications through bilateral agreements with several countries like Armenia, Ukraine, Russia and China are under consideration.

**4.2.2** Generally, the issue of recognition of qualification is looked at from the point of facilitating the movement of natural persons. The problems of qualification requirements and procedures are:

1. Equivalence and recognition of qualifications
2. Different levels of government such as federal, state, municipal etc.
3. Examination requirements for testing the qualifications
4. Additional education, training and experience requirements
5. Lack of international standards i.e. no benchmarks of qualification requirements to practice a particular profession

**4.2.3** As mentioned in the Country Report (India 2005), the following suggestions have been made by India and some other countries for consideration under GATS Article VI:4.

(i) Transparency provisions requiring provision of information on qualification requirements for various professional services and qualification procedures i.e. administrative or procedural rules relating to administration of qualification requirements

(ii) Availability of mechanisms such as conducting required examinations at reasonably frequent intervals and open for all eligible participants including foreign applicants. The possibility of using electronic means for conducting such examinations, wherever feasible, and of providing opportunities for taking such exams in the home country of the foreign services supplier should also be explored having regard also to the extra costs and administrative burdens this might entail amongst all relevant factors.

(iii) Fees charged by the competent authorities should have regard to the administrative costs involved and should not become a barrier in themselves for practicing the relevant profession.

(iv) Reasonable time frames should be met for verification of the foreign professionals competence to supply the service so as not to prejudice the service supply itself.

(v) Appeal review channels should be provided for non-recognition of qualifications. Further possibility of re-submission of applications and other materials substantiating the case for meeting the qualification requirements should be allowed.

(vi) The existing contact points provided for under Article IV-2(b) may need to be strengthened so as to provide a mechanism for supply of information on qualification requirements and procedures to interested service suppliers of developing country members.

**4.2.4** The above suggestions relating to qualification requirements and procedures for consideration of Working Party on Domestic Regulation under GATS are more practical and will serve a broader agenda for recognition of studies, diplomas and degrees in Higher Education that would in turn facilitate the movement of students, programmes and institutions as well.

## **5. Emergent issues relating to the recognition of studies, diplomas and degrees in Higher Education**

### **5.1 Issues concerning recognition of academic qualification in the context of changing environment of higher education**

**5.1.1** As cross- border supply of education proliferates across the world, systems and mechanisms to facilitate credit transfers of courses/programmes would need to be worked out across the countries, both in the case of face to face and Open and Distance Learning (ODL). In the case of ODL, only the recognized programmes should be allowed. When the distance learning programmes are offered across national borders, the issue of “customization” to local needs, would either have to be met by the provider institution (which is as desirable in the interest of quality assurance) or be provided by the local host institution as part of the terms of the agreement. Mutually accepted provisions for mutual recognition of qualification for the purposes of further education or employment will need to be put in place.

**5.1.2** The system of compulsory accreditation of Indian Universities/Institutions will help in strengthening efforts by various Indian agencies in promoting Indian higher education abroad as it

would highlight India as Country providing quality higher education. UGC has already made it mandatory for the universities to get themselves accredited by NAAC. Similar steps may be taken by other concerned statutory authorities. The AICTE Regulation (2005) on entry and operation of Foreign Universities/Institutions imparting technical education in India provides that the Foreign University/ Institution offering programmes in India have to get their AICTE approved centers accredited by NBA soon after two batches have passed out from such centers. .

**5.1.3** Only such Indian institutions who have high accreditation rating may be allowed to export programmes. In India, BITS Pilani and MAHE are recognized, accredited bodies exporting education from India. NAAC's suggestion for compulsory accreditation should be given due consideration to promote cross border higher education, and the Regulations on the entry and operation of foreign universities needs to be put in place.

**5.1.4** One of the major issues in mutual recognition of degrees is harmonization in both in terms of the duration and the contents of the various courses, and this can be done by an organization with professional expertise.

**5.1.5** Under cross border education, foreign universities can offer 'on line' admission. It can offer courses and take examinations online. Conferment of degrees is possible through physical transmission of degrees. At present there is no domestic regulation to restrict or regulate on line delivery of courses.

## **5.2 Relevance of the 1983 Regional Convention for Asia-Pacific to the changing context of higher education and suggestions for its revision**

Since 1983 the regional convention on the recognition of the studies, Diplomas and Degrees in Higher Education in Asia and the Pacific adopted in Bangkok, there has been changes in international higher education in terms of new providers of education, new modes of delivery and the cross-border education including both degree and non-degree programmes. However, the spirit behind the declarations made in the Convention still holds good. A number of bilateral agreements have, over the years, been signed for collaborations in the education sector. Education is identified as one of the twelve services which are to be negotiated under the General Agreement on Trade in Services (GATS). Negotiations under GATS are taking place under the Offer and Request approach. Countries make offers to their trading partners for access to their internal market. Similarly, Countries make requests on their partners seeking access to their markets. Thus, GATS has opened a new dimension to the discourse on mutual recognition of qualifications. Accordingly, there is a need to revise the regional convention and adopt a suitable framework for the promotion of quality assurance in various countries, harmonization of degrees, and adoption of choice based credit system. More importantly, the scope for quality assurance of private providers, distance education mode and e-learning needs to be evolved through a regulatory system, so that only the recognized and accredited providers can gain access to cross-border education, without any compromise on the national interests..

## **6. Suggestions for the Ninth Session of the Regional Committee**

In the context of aspirations of the countries for greater international cooperation through bilateral and multilateral agreements, the mobility of students, researchers, professionals, programmes and institutions has assumed importance. The Ninth Session of the Regional Committee may take a more practical standpoint on facilitating the movement of natural persons. Practical problems exist in the form of non-availability of adequate information on qualifications required of professionals and also on the mechanisms for possessing those qualifications for practice or to work in another country. A broader agenda of establishment of national qualifications framework, compulsory accreditation of institutions and programmes and credit transfer facilities, transparency, and accessibility at the international level of up-to-date, accurate and comprehensive information on recognized higher education institutions would, in turn, ensure the mutual recognition of qualifications in order to facilitate the cross-border movement of students, programmes and institutions.

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