

# Education Sector Hotline

August 28, 2021

## GUIDELINES ON INTERNATIONALIZATION OF HIGHER EDUCATION: GLOBALISATION OF EDUCATION BECOMES A REALITY

- Focus on promoting internationalization of education
- Indian higher educational institutions are being encouraged to collaborate with foreign institutions for twinning programmes and research
- Emphasis on a 'global citizenship approach', alignment of courses in Indian HEIs with global standards

### INTRODUCTION

The National Education Policy, 2020 ("NEP") formulated by the Government of India places special emphasis on internationalisation of higher education. It not only extensively focuses on attaining the highest global standards in the quality of higher education, but also reinforces the need to attract a greater number of international students and achieve the goal of "internationalisation at home". The policy also appreciates the critical need to promote India as a "global study destination" providing premium education at affordable costs thereby, helping to restore its role as Vishwa Guru. It strongly encourages collaboration with foreign higher educational institutions ("HEI") in academia and research, and other forms of arrangements such as offshore campuses of foreign HEIs in India and vice versa.

The Government has already taken numerous concrete steps towards achieving these goals (such as the autonomy provided to Institutes of Eminence ("IoE")<sup>1</sup> to collaborate freely with certain categories of foreign institutions without regulatory approval requirements, hire foreign faculty, etc. or encouraging discussions to allow top 100 universities of the world to establish campus in India). Further the existing regulations on collaboration arrangements between of Indian HEIs with their foreign counterparts also provide for the eligibility of institutions to enter into such collaborations and the conditions thereof.<sup>2</sup> The Government has provided a further boost to such collaborative arrangements between Indian and Foreign HEIs through the recent guidelines on Internationalisation of Higher Education ("IHE Guidelines").<sup>3</sup>

The IHE Guidelines have been issued by the University Grants Commission ("UGC") and provide an opportunity for global outreach of Indian HEIs. They encourage Indian HEIs to undertake strategic reforms aimed at (i) forming twinning arrangements with foreign HEIs for offering various programmes; (ii) enabling credit transfers between Indian and foreign HEIs; (iii) aligning the curriculum, faculty and infrastructure of Indian HEIs with global standards; (iv) adopting a global citizenship approach; and (v) enhancing technological capabilities and undertaking newer forms of programmes such as Massive Open Online Courses. In essence, the IHE Guidelines offer a huge potential for structuring arrangements between foreign HEIs and educational platforms and their Indian counterparts.

While the IHE Guidelines propose detailed initiatives that HEIs may take for internalization of education, we have focused on the key aspects of the guidelines, for brevity.

### OBJECTIVE OF IHE GUIDELINES

- To make India an attractive study destination for foreign students
- To foster international competencies in Indian faculty and students
- To develop a global mindset of learners and shape them as global citizens
- To promote active linkage between Indian and Foreign HEIs
- To improve global ranking of Indian HEIs in internationalization indicators

### KEY HIGHLIGHTS

#### Strategic Programmes and Initiatives

As per the IHE Guidelines, there should be a synergy between national policy and institutional strategy in order to achieve the goal of internationalisation. In fact, the IHE Guidelines encourage HEIs to adopt certain strategic programmes and initiatives within the IHE Guidelines as follows:

#### a. Internationalisation at home

This is aimed at integrating the dimensions of an international learning environment within Indian HEIs and can be achieved through:

## Research Papers

### Taxing Offshore Indirect Transfers in India

February 28, 2025

### Unlocking Corporate Philanthropy

February 27, 2025

### Digital Health in India

February 26, 2025

## Research Articles

### Re-Evaluating Press Note 3 Of 2020: Should India's Land Borders Still Define Foreign Investment Boundaries?

February 04, 2025

### INDIA 2025: The Emerging Powerhouse for Private Equity and M&A Deals

January 15, 2025

### Key changes to Model Concession Agreements in the Road Sector

January 03, 2025

## Audio

### CCI's Deal Value Test

February 22, 2025

### Securities Market Regulator's Continued Quest Against "Unfiltered" Financial Advice

December 18, 2024

### Digital Lending - Part 1 - What's New with NBFC P2Ps

November 19, 2024

## NDA Connect

Connect with us at events, conferences and seminars.

## NDA Hotline

Click here to view Hotline archives.

## Video

### Vaibhav Parikh, Partner, Nishith Desai Associate on Tech, M&A, and Ease of Doing Business

March 19, 2025

- Capacity building in internationalization initiatives
- Collaborative communication between Indian and foreign HEIs
- Adding international dimension to curricula
- Incorporating internationalization into broader quality assurance process
- Offering local language courses to bridge any gaps

#### b. *Credit recognition in twinning programme*

These provisions have been worded as mandatory requirements, as opposed to most other provisions in these guidelines which seem to be recommendatory in nature.

- Under a twinning arrangement, Indian students enrolled in an HEI in India will complete part of their course at a foreign HEI, complying with relevant national regulations. However, the degree will be given solely by Indian HEI and should be in conformity with the UGC Act, 1956 as well as regulations of relevant statutory authorities.<sup>4</sup>
- In case of a twinning arrangement, the concept of 'Credit Recognition and Transfer' will come into play, under which, the credits given by foreign HEI would be recognized in fulfilment of the requirements of the Indian HEI's programme. These credits would be reflected in the official transcripts. However, credits earned from courses attended in foreign HEI cannot overlap with courses of Indian HEI.
- Existing curriculum of the Indian HEI can be supplemented with additional curriculum of partnering HEI on the basis of a 'need assessment'.
- Credit recognition and transfer can be done through MOUs and Agreements between the HEIs. If an HEI is affiliated to a university, an NOC needs to be obtained from the affiliating university. Thereafter, the Indian HEI, the affiliating university and the foreign HEI would need to sign a tripartite agreement/MOU for transfer of credits. The guidelines do not specify if any approval will be required for such an arrangement or for the transfer of credits.
- A course / programme which "jeopardises the national interest" will not be allowed to be offered in India. No clarity/ guidelines have been provided on how courses will be assessed for this factor.
- In case a student is unable to complete the programme under the twinning arrangement, then the Indian HEI should ensure that there are exit options available and the course can be completed in the Indian HEI.
- Indian HEIs are required to provide periodical reports giving details of number of students admitted, programmes conducted, etc. to the UGC under these Guidelines.

Such twinning arrangements are *inter alia* expected to increase exposure for students, social interaction between Indian and international students, as well as cultural exchanges. The mobility of learners under the twinning programme will also equip the learners with best practices, approaches and methods of teaching and learning currently existing in international institutions.

Encouragement to twinning programmes (which have been popular in India for a while now) and credit transfers, will open doors for more international partnerships, and assist both India HEIs and foreign HEIs in structuring cross border arrangements.

#### c. *Global Citizenship Approach*

This strategy requires HEIs to undertake a 'global citizenship' approach *inter alia* by:

- inculcating values of diversity, interdependence and empathy
- empowering students to understand the economic, political, cultural and social influences in the world
- including credit-based projects, courses and workshops in the areas of community engagement, value-based education, constitutional values, spirit of service, etc.
- offering short courses and workshops on human and constitutional values, respect for others, cleanliness, courtesy, democratic spirit, spirit of service, respect for public property, scientific temper, responsibility, pluralism, equality, and justice

This is a new, but welcome proposal. Structuring short term courses, workshops etc. will open up further avenues for the partnerships between the HEI and industries, and other non-university organisations for developing such courses, or providing training programs to students.

#### d. *Academic and Research Collaboration*

HEIs are encouraged to enter into academic and research collaboration in accordance with existing regulations and norms through initiatives such as student exchange programmes, faculty exchange programs, strategic research partnerships, and establishment of chairs in the names of eminent Indian scientists, scholars and philosophers.

#### e. *Brand Building Approach*

HEIs are encouraged to use all forms of effective brand building tools for communication and outreach including social media. A few of such tools / initiatives are (i) preparing reports reflecting country-wise priorities of prospective students leading to country-specific strategies; and (ii) setting up of offshore campuses.

Notably, IoEs have already been given the permission to set up offshore campuses and it is encouraging to note that such campuses are envisaged for HEIs in general. HEIs are also encouraged to extend the reach of their online and open and distance learning ("ODL") programmes to more learners.

Additionally, the IHE Guidelines recommend that HEIs connect with alumni for brand building exercises in India and abroad. The HEI will be required to share any data regarding the alumni, as directed by the Government – however, it is unclear as to what categories of data may be required by the Government, or the purpose of their use.

The HEI will also be required to establish an Office of International Affairs ("Office") which would be a single point of

contact for collaborative activities with foreign HEIs and also for foreign students' registration. It would coordinate all matters relating to foreign students including grievances and support and would also act as a liaison body between foreign students and the sponsoring agency. The aforementioned strategies such as dissemination of information, promotional activities etc., would all be undertaken by this Office. The relevant information regarding this Office along with its contact details would be published on the website and shared with the Government and other regulatory bodies.

Overall, the HEIs are encouraged to adopt innovative approaches, and formulate strategy and undertake initiatives for collaboration with HEIs abroad and enhance their international profile. The active participation of the HEIs with support from the relevant stakeholders will usher in a new era in internationalisation of higher education in India.

## ANALYSIS

The IHE Guidelines are essentially recommendatory in nature and encourage HEIs in India to act on the suggestions therein. While the aim of the IHE Guidelines is primarily to raise the quality of education in India and instill useful skillsets in students, the role of foreign HEIs in achieving the goal of internationalization of higher education has been expressly recognized and encouraged. Internationalization of higher education is a response to the broader globalization of education. The emphasis is on raising the quality of education to catch up with global standards and align the curriculum accordingly so that skills relevant to the globalized competitive economy can be developed in students. Further, it is envisaged that for India, internationalization would result in Indian HEIs being able to increase their global outreach. This will result in capacity building, economic growth, access to quality education, and thereby developing HEIs with a global standard and high global rankings. To quote the guidelines, the "*internationalisation of higher education may therefore be seen as the catalyst to spur Indian universities to position themselves strategically to cater to the needs of the global knowledge society.*"

The fact that the Government is thinking in the right direction and releasing guidelines such as the current one, will benefit HEIs and enable them to implement policies for internationalisation to be made into a reality. Notably, this is not first time that the Government has taken steps towards liberalisation of the Indian education sector. The NEP envisages almost a complete overhaul of the education system in India. While the education system in India has been largely traditional, the NEP seeks to bring in much-needed technological capabilities, globalisation and a high degree of flexibility into education at all levels. Especially at the higher education level, the Government has demonstrated its keenness to implement NEP's vision not just through its statements, but through concrete regulatory actions. For example, within two years of publishing regulations on online education in 2018, the UGC overhauled the regulations and published the UGC (Open and Distance Learning Programmes and Online Programmes)

Regulations, 2020<sup>5</sup> ("**UGC Online Regulations**"). The All India Council for Technical Education also followed suit and released its own guidelines on online and ODL<sup>6</sup> programmes in 2021. As a result, Indian education regulations now permit numerous degree and diploma programmes to be delivered *entirely through online* or ODL modes.

Not only this, but the regime on IoEs was also swiftly amended to address an unintentional lacuna caused due to the UGC Online Regulations, and IoEs can now offer online courses without any approvals, apart from the various other kinds of autonomy that they enjoy.<sup>7</sup>

These Guidelines are yet another statement of intent by the Government regarding its aim to encourage foreign participation into the education space and an increase in flexibility in the modes of education that are available to students. What is truly remarkable is that the Government is taking continuous steps towards internationalization and the broader liberalization of higher education. Guidelines such as these will go a long way in achieving the vision of making India a global education hub.

— Aniruddha Majumdar & Aarushi Jain

You can direct your queries or comments to the authors

<sup>1</sup> A background of what IoEs, their significance and key provisions from the regulations can be found here: '*INSTITUTE OF EMINENCE: INCHING TOWARDS WORLD CLASS EDUCATION IN INDIA*' [https://data.nishithdesai.com/information/research-and-articles/nda-hotline/nda-hotline-single-view/newsid/4764/html/1.html?no\\_cache=1](https://data.nishithdesai.com/information/research-and-articles/nda-hotline/nda-hotline-single-view/newsid/4764/html/1.html?no_cache=1) (last visited on August 27, 2021).

<sup>2</sup> UGC (Promotion and Maintenance of Standards of Academic Collaboration between Indian and Foreign Educational Institutions) Regulations, 2016 ("**Regulations**") (Available at: [https://www.ugc.ac.in/pdfnews/5003871\\_Foreign-Collaboration-Regulations-2016-\(1\).pdf](https://www.ugc.ac.in/pdfnews/5003871_Foreign-Collaboration-Regulations-2016-(1).pdf)) (last visited on August 27, 2021).

<sup>3</sup> Available at [https://www.education.gov.in/sites/upload\\_files/mhrd/files/upload\\_document/int\\_he.pdf](https://www.education.gov.in/sites/upload_files/mhrd/files/upload_document/int_he.pdf) (last visited on August 27, 2021).

<sup>4</sup> Notably, the existing Regulations currently provide for the detailed procedure, eligibility criteria, etc. for collaboration between Indian and foreign HEIs. These have not been repealed expressly by the IHE Guidelines, and it is expected that the existing Regulations will be amended soon, since the UGC had released a draft version of the amended Regulations for public comments earlier in 2021 (Available at: [https://www.ugc.ac.in/pdfnews/4258186\\_Draft-UGC-Academic-Collaboration-with-Foreign-HEIs-Regulations-2021.pdf](https://www.ugc.ac.in/pdfnews/4258186_Draft-UGC-Academic-Collaboration-with-Foreign-HEIs-Regulations-2021.pdf)).

<sup>5</sup> See <https://www.ugc.ac.in/pdfnews/221580.pdf> (last visited on August 3, 2021).

<sup>6</sup> See <https://www.aicte-india.org/sites/default/files/aicte-odl-online-guidelines-2021.pdf> (last visited on August 3, 2021). Our analysis of the AICTE guidelines on online and ODL programmes is available here: <https://www.nishithdesai.com/SectionCategory/33/Education-Sector-Hotline/12/42/EducationSectorHotline/1.html>.

<sup>7</sup> More details on the amendments in the IoE regime are available at [https://www.nishithdesai.com/information/research-and-articles/nda-hotline/nda-hotline-single-view/article/institution-of-eminence-regime-more-autonomy-given-foreign-campuses-permitted-online-education.html?no\\_cache=1&cHash=9c191baeb9a28487c33bea7d73c4980f](https://www.nishithdesai.com/information/research-and-articles/nda-hotline/nda-hotline-single-view/article/institution-of-eminence-regime-more-autonomy-given-foreign-campuses-permitted-online-education.html?no_cache=1&cHash=9c191baeb9a28487c33bea7d73c4980f) (Last visited on August 5, 2021).

## DISCLAIMER

The contents of this hotline should not be construed as legal opinion. View detailed disclaimer.

This Hotline provides general information existing at the time of preparation. The Hotline is intended as a news update and Nishith Desai Associates neither assumes nor accepts any responsibility for any loss arising to any person acting or refraining from acting as a result of any material contained in this Hotline. It is recommended that professional advice be taken based on the specific facts and circumstances. This Hotline does not substitute the need to refer to the original pronouncements.

This is not a Spam mail. You have received this mail because you have either requested for it or someone must have suggested your name. Since India has no anti-spamming law, we refer to the US directive, which states that a mail cannot be considered Spam if it contains the sender's contact information, which this mail does. In case this mail doesn't concern you, please unsubscribe from mailing list.