

## Ideological battle over Foreign Varsity Bill

The former US President John F. Kennedy once said, 'Our progress as a nation can be no swifter than our progress in education; the human mind is our fundamental resource'. This is true for a country like India where economy is growing at 8–9% per annum with demands on high-quality manpower. However, only 12.4 out of every 100 eligible students are pursuing higher education, which is far below the global average Gross Enrollment Ratio (GER)<sup>1</sup> of 23%. According to the Human Resource Development (HRD) Minister, Kapil Sibal, unless there is a huge pool of qualified human resource, there will be mismatch between economy and the potential that serves the economy. To raise Indian GER from 12.4% to 30% in the next few years, there is need of about 800 universities and 35,000 more colleges. In such situation, opening foreign education institutes in India will boost this cause.

The National Knowledge Commission (NKC) estimated that every year about 160,000 students from India study abroad, spending about US\$ 4 billion. According to the Ministry of Overseas Indian Affairs, as of 15 July 2009, about 264,324 Indian students are studying abroad<sup>2</sup>. Considering these facts, NKC recommended that India should frame policies for the entry of foreign institutions<sup>3</sup>.

Subsequently, the Indian Government wants to give wings to the Foreign Educational Institution (Regulation of Entry and Operations) Bill, 2010, with the belief that the entry of foreign universities in India will help increase the accessibility of students to enhanced higher education. Once the bill gets a green signal, huge foreign direct investment will flow into India; globally renowned, top-ranking universities will take the lead to provide quality education at a fraction of the cost of normal foreign education; the nation will save huge foreign exchange; the entry of foreign institutions will lead to open competition and will indirectly improve overall quality of the Indian education system by solving education system-related problems like inadequate access, quality and funding in higher education.

The Bill was introduced for the first time in the Rajya Sabha in 1995, which was revived in 2007 and entitled as Regulations of Entry and Operations,

Maintenance of Quality and Prevention of Commercialization Bill. As the Bill could not go through the Parliament proceedings, the Government has promised that it would reintroduce the Bill with suitable amendments and the fresh Bill, the Foreign Educational Institutions (Regulation of Entry and Operations) Bill was approved by the Cabinet and introduced in Parliament on 3 May 2010. The stated objective of the present Bill is to regulate entry and operation of foreign educational institutions intending to impart higher education in India (Table 1).

Supporters of the Bill argue that the Government needs to promote entry of foreign universities to make up for poor infrastructure in higher education. According to the Ministry of HRD (MHRD), some of the possible benefits include participation of globally renowned universities, skill development, increasing access to innovative areas of study and increase in GER<sup>4</sup>.

However, few education experts argue that the provisions of the Bill would neither attract quality institutions nor would they adequately regulate existing institutions<sup>5</sup>. The biggest challenge for the Government is to attract top-ranking universities to the country. Most premier universities, except a few, have resisted the temptation to grow globally, choosing instead to enhance quality by maintaining low student–teacher ratio and focusing on excellence in research. The tier-two and tier-three universities (Table 2) would be interested in coming to India to exploit the huge markets and to offer low-quality programmes. Universities like Harvard are scaling back their expansion plans and may not be ready for investment clauses that stop repatriating profits which will dampen major foreign investments. India may end up attracting lower-quality providers who are keen on making money rather than improving learning.

According to Jandhayala B. G. Tilak (National University of Educational Planning and Administration, New Delhi), it is assumed that the Bill is going to open the flood gates for foreign universities and they will come to India with huge capital to invest here. But foreign universities are more interested in taking students to their home universities, as that will yield more revenue to these uni-

versities and finally to their economies at large, and will also promote diversity in the university campuses. If at all necessary, foreign institutions will opt for other options of having collaborations with Indian counterparts, which involves use of local infrastructure than coming to India with huge capital to invest. Top-ranking universities are interested in India, but only for collaboration in high-quality research activities and not for normal degree programmes.

Few political parties as well as educationists opposed the Bill from the beginning with the belief that the Government is creating another special education zone in the country which could harm the interests of the economically weaker sections and lead to the commercialization of education. Education is going to be an issue, where a new confrontation of haves and have-nots is going to emerge, which could damage the education system permanently. Hence hasty passage of this Bill should not be allowed.

Anil Sadgopal (Faculty of Education, Delhi University) puts forward some concerns related to the Bill like: only an affluent would be able to afford the exorbitant fee structure of the profit-making foreign universities. Secondly, the Government is supporting this Bill on the grounds that foreign universities will bring competition in the education sector, but if one considers the past, India built a number of high-quality research and education institutions in the public sector like IITs, IIMs, IISc, etc. Did these develop out of a spirit of competition or the constitutional commitment? The globally renowned education institutions sent the message that public sector in education does not require competition as a tool of quality improvement. Even the icons of private institutions in the United States like Harvard, Princeton, Caltech and MIT were motivated primarily by philanthropy rather than profit, he added.

Another concern shown by the group of people opposing this Bill is that the entry of foreign universities will set a toll on the Government-funded public education system. The best students and teachers will be at risk of being lured away by foreign universities. The Ministry of Health and Family Welfare has suggested to MHRD that allowing foreign

**Table 1.** Highlights of the Bill

- A foreign educational institution is any institution established outside India, which has been offering educational services for a minimum of 20 years and proposes to offer courses which shall be taught through conventional teaching methods like classroom teaching.
- Every foreign 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/Secretary of UGC in the prescribed manner and the application has to be endorsed by the High Commission of that country in India.
- The Central Government, based on the recommendation of the UGC, may withdraw recognition in case a foreign educational provider violates any provision of the regulations.
- 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.
- The foreign university has to maintain a corpus fund of a minimum of Rs 50 crores. Maximum of 75% of any income generated from the fund shall be utilized for developing the institution in India and the rest should be reinvested in the fund. 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.
- Any person who offers admission to an unrecognized institution or makes misleading advertisement shall be liable to a fine of Rs 10 lakhs up to Rs 50 lakhs, in addition to refunding the fees collected. Any recognized foreign institution that violates the law shall be liable to a fine between Rs 10 and 50 lakhs and forfeiture of the corpus fund.
- The Central Government shall establish an Advisory Board, consisting of three national research professors, Chairman of the UGC and Chairman of one of the other statutory authorities. The Central Government may exempt any institution, on the advice of the Advisory Board, from conforming to certain provisions of the Bill. However, they would be subject to the ban on revenue repatriation and penalties for offences.

**Table 2.** Universities interested in opening campuses in India

University of Houston, USA	Planning dual degree programmes with Banaras Hindu University, Varanasi
Georgia Institute of Technology, USA	Plans to set up a campus in Visakhapatnam
Schulich School of Business, Canada	Intends to set up a campus in Hyderabad with the GMR Group
Deakin University, Australia	Exploring M. Tech collaboration
Southern Illinois University, Carbondale, USA	Exploring partnership in engineering and computer science programmes
Tufts University, USA	Seeking partners for the executive exchange programme
Roosevelt University, USA	Looking for collaboration for MA in training and development
University of Rochester, USA	Looking for associates in the liberal arts and science courses

educational institutions may lead to exodus of trained medical faculty because of the higher salaries they may offer. There is a need to build adequate safeguards to retain trained and experienced faculty. The Ministry of Health and Family Welfare also wants to ensure that the foreign educational institutions train more Indian students rather than foreigners, so that their services can be utilized within the country. It also fears that the Bill would take away its role as the nodal ministry in charge of India's regulators of medical education. These regulators like the Medical Council of India, Pharmacy Council of India, Indian Nursing Council and the Central Council of Homeopathy will have no role as the Bill draft of MHRD only mentions the University Grants Commission (UGC) and its proposed successor – the National Commis-

sion for Higher Education and Research as regulators.

The Bill which was titled in its earlier form in 2007 as the Foreign Educational Institutions (Regulations of Entry and Operations, Maintenance of Quality and Prevention of Commercialization) Bill, is now simply called the Foreign Educational Institutions (Regulation of Entry and Operations) Bill, probably realizing that maintenance of quality and prevention of commercialization of higher education are too difficult goals to be achieved by this Bill. But still the question remains unanswered about what the Bill is supposed to regulate, when it does not check the fees demanded from students, allows no student union for grievance, waives off penalty provisions for a broad category of foreign education institutions, does not implement social

justice laws and permits commercialization in the area of education?

The Planning Commission has asked if the degrees offered by such universities are equivalent to those offered by them in their countries of origin, and whether the UGC or any other regulatory agency will monitor the foreign educational institutions.

The Yashpal Committee set up by MHRD suggested that foreign educational institutions must ensure best learning experience for our students, even by opening the doors to foreign scholars and making rules flexible. Universities grow in organic connection with their social, cultural and geographical surroundings and cannot be transplanted from somewhere else.

MHRD has not suggested a cap on the intake of foreign students as well as to

build safeguards to stop flight of faculty, mentioning that factors like job security are also important. The foreign education providers will be Indian entities, the degrees will be Indian degrees and no equivalence with foreign degrees is guaranteed, but these universities will play an important role in enhancing the number of students in higher education<sup>6</sup>.

Supporters of the Bill believe that students who leave India will stay back to study in the branch campuses of foreign universities. But the ground reality is that a small section of Indian students go abroad in the hope of settling down there, or on the lookout for international campus atmosphere. To imagine that teleconferencing and foreign textbooks in branch campuses would provide a significant alternative to such students is incorrect. Hence branch campuses of foreign universities are for those students who stay back and not for those who want to leave.

According to M. Singaravel (Banaras Hindu University, Varanasi), 'foreign universities will certainly bring competition between public funded educational institutes and foreign universities while accommodating maximum number of students in higher education. Still before allowing the foreign universities on Indian soils some important points should be taken into account, like quali-

fications and pay scales of staff, student strength, course fees and curriculum. All these factors should be conducive to the Indian education system.'

Neither Harvard nor Columbia University or any other top-ranking institution would come to India, according to Madras University Vice-Chancellor, G. Thiruvassagam. 'Even the universities which come here would not offer a need-based curriculum. That's why even within the country and state we are opposed to a common curriculum under which the local needs are not addressed. In Coimbatore, for instance, a university could offer a course in textiles or in Tirunelveli one could teach courses on fisheries. This need-based approach would be missing in foreign universities.'

According to A. P. Nandini (M.N.M. Jain Engineering College of Anna University, Chennai), at present the appointments of teachers in public funded institutions are based on a set of eligibility criteria, whereas it may not be so in private institutions which compromise on the quality of teachers. Guidelines have to be set to avoid this in foreign institutions. The competition between public funded institutions and private/foreign institutions will compel every faculty member to perform. Faculty will move from Indian to foreign institutions not

only for the hefty salary packages, but also for recognition.

According to Devinder Sharma (Chairperson, Forum for Biotechnology and Food Security, New Delhi), 'The first two universities the world has ever known are Takshila and Nalanda. Their construction is considered to be one of the greatest achievements in the field of education. Isn't it a shame that the country that gave the world its first universities, is now feeling thrilled by the decision that some foreign universities are likely to open campuses in India to bring quality in Indian education system.'

1. India needs 800 more universities: Sibal. *Deccan Herald*, 14 April 2011.
2. Lok Sabha Starred Question No. 162, answered on 15 July 2009, Ministry of Overseas Indian Affairs, GoI.
3. Report to the Nation: 2006–2009, National Knowledge Commission, GoI, March 2009.
4. Unstarred Question No. 5332, answered on 28 April 2010, Ministry of Human Resource Development, GoI.
5. Mehta, P. B., Course correction, *Indian Express*, 8 May 2010.
6. Rahman, S., Foreign Universities: Degrees of Debate, *India Today*, 1 May 2010.

**Jaimini Sarkar** (*S. Ramaseshan Fellow*).  
e-mail: jaimini\_dhane@hotmail.com

## MEETING REPORT

### Seventy-seventh annual meeting of the Academy\*

The 77th annual meeting of the Indian Academy of Sciences, Bangalore was held this year at the Physical Research Laboratory (PRL) in Ahmedabad for the fourth time (2011, 1992, 1968, 1953). PRL was founded by Vikram A. Sarabhai, the Father of Space Science in India. He also established the Indian Institute of Management Ahmedabad, Vikram A Sarabhai Community Science Centre and Ahmedabad Textile Industry's Research Asso-

ciation. The Space Applications Centre (SAC) was created by merging different experimental units started by Sarabhai.

The organizers had arranged a visit to SAC/Institute for Plasma Research (IPR) and Akshardham temple, an architectural marvel which hosted a light and water show portraying the scientific concepts of turbulence, hydraulics, lasers and projections. Another combination of art and science was the 'Dance of life', which featured Mallika Sarabhai and her team enacting the discovery of the place holder zero, the development of algebra and Ayurveda, and the first nose surgery.

The meeting began with the presidential address by A. K. Sood (Indian Institute of Science (IISc), Bangalore). He discussed shear thinning, shear thicken-

ing, instabilities and elastic turbulence in soft matter or condensed fluids. The salient features in these fluids are: (i) the constituents are large polyatomic structures, (ii) they have very low elastic constants, and (iii) they show strong response to modest external perturbations, which give them unusual flow properties. Sood indicated that these colloidal systems present a new paradigm for exploring non-equilibrium physics.

The rheology and segregation of granular mixtures in dense flows was explained by Devang V. Khakhar (Indian Institute of Technology (IIT) Bombay, Mumbai) in a special lecture. He concluded that simple continuum models give a good description of flow and segregation in the dense flow regime. The challenges

\*A report on the seventy-seventh annual meeting of the Indian Academy of Sciences, Bangalore held during 18–20 November 2011 at the Physical Research Laboratory (PRL), Ahmedabad and jointly organized by PRL, Space Applications Centre and Institute for Plasma Research, Ahmedabad.