

भारत सरकार
वाणिज्य और उद्योग मंत्रालय
विकास आयुक्त का कार्यालय
सीपज़ विशेष आर्थिक क्षेत्र
अंधेरी (पूर्व), मुंबई - 400096



Government of India
Ministry of Commerce & Industry
Office of the Development Commissioner
SEEPZ Special Economic Zone
Andheri (E), Mumbai - 400096

वेबसाइट: www.seepz.gov.in | ई-मेल: dcseepz-mah@nic.in | टेलीफोन: 022-28290856/28294700

CIRCULAR No. 30./2025

Sub.- Promotion of Campuses of Foreign Higher Educational Institutions (FHEIs) in Special Economic Zones (SEZs) - reg.

Attention is invited to the letter No. K-43014/17/2024-SEZ dated 11.11.2024 issued by the Department of Commerce, Ministry of Commerce & Industry, Government of India, regarding the facilitation of campuses of reputed Foreign Higher Educational Institutions (FHEIs) within Special Economic Zones in India.

In line with the vision of the National Education Policy (NEP) 2020, and the regulatory framework notified by the University Grants Commission (UGC) vide its 2023 Regulations, select foreign universities are permitted to set up campuses in India, including within SEZs. These institutions are required to comply with eligibility criteria and are permitted to operate under Rule 76 of the SEZ Rules, 2006, for provision of educational and related services.

It has been clarified by the Department of Commerce that FHEIs meet the Net Foreign Exchange (NFE) requirements under Rule 53(h) of SEZ Rules, 2006. Therefore, no objection is required at the Zone level, and such proposals may be supported and processed in accordance with applicable SEZ Rules and UGC guidelines.

SEZ stakeholders are requested to encourage utilisation of vacant land and built-up space in IT/ITES and other SEZs for such academic ventures. This initiative will not only help utilise idle infrastructure but also promote international academic collaboration, enhance local skill development, and improve the SEZ ecosystem.

All stakeholders are further advised to extend necessary facilitation and support to the Export Promotion Council for EOUs and SEZs (EPCES) in organising workshops/seminars in association with reputed FHEIs and concerned embassies.

This issues with the approval of the Development Commissioner.

Digitally signed by
Mayur Ramesh Mankar
Date: 03-07-2025

(~~MAJOR~~ R. Mankar)

Joint Development Commissioner,
SEEPZ-SEZ

F. No. SEEPZ-SEZ/ADMIN/Govt.Ref./2025-26/08972

Date:- 04.07.2025

Copy to:-

1. All Developers/Co-developers under the jurisdiction of SEEPZ-SEZ
2. DCO/JDCO/DDC/SO
3. JDC Pune Cluster
4. All Officers/Staff of SEEPZ-SEZ
5. Notice Board

Promoting campuses of reputed foreign universities in Special Economic Zones in India.

DD

dg dg <dg@epces.in>

Tue, 12 Nov 2024 7:20:02 PM +0530

To "Shri Dinesh Singh DC KASEZ" <dc.kasez-gj@gov.in>, "Development Commissioner SEEPZ" <dcseepz-mah@nic.in>, "Mrs Hemlatha P DC CSEZ" <dc@csez.gov.in>, "Development Commissioner MEPZ" <dc@mepz.gov.in>, "Shri Bipin Menon DC NSEZ" <dc@nsez.gov.in>, "Development Commissioner FSEZ" <devcomm.fsez@nic.in>, "Development Commissioner VSEZ" <devcomm.vsez@gov.in>

Cc "csoffice" <csoffice@nic.in>, "as.lss-doc" <as.lss-doc@gov.in>, "VIMAL ANAND" <vimal.anand@nic.in>, "secy.dhe" <secy.dhe@nic.in>, "Manish Joshi" <joshmanish@gmail.com>, "kkumar.ugc" <kkumar.ugc@gov.in>

Dear Development Commissioners

This is regarding promoting campuses of reputed foreign universities in Special Economic Zones in India.

The New Education Policy 2020 emphasises Internationalisation stating that "India will be promoted as a global study destination providing premium education at affordable costs thereby helping to restore its role as a Vishwa Guru. High performing Indian Universities will be encouraged to set up campuses in other countries, and similarly, selected universities e.g. those from among the top 100 universities in the world will be facilitated to operate in India. A legislative framework facilitating such entry will be put in place, and such universities will be given special dispensation regarding regulatory, governance, and content norms on par with other autonomous institutions of India." **(relevant extract of NEP 2020 attached)**

Accordingly, University Grants Commission (UGC) has brought out UGC (Setting up and Operation of Campuses of Foreign Higher Educational Institutions in India) Regulations, 2023, **(Copy attached)** providing a regulatory framework allowing the entry of higher-ranked foreign universities, for the internationalization of Indian higher education as envisaged in National Education Policy, 2020 to provide an international dimension to higher education, enable Indian students to obtain foreign qualifications at affordable cost, and make India an attractive global study destination and for fulfilling the need to facilitate the entry of foreign higher educational institutions into India.

At the same, because of various reasons, huge built-up or otherwise space is lying vacant in Indian SEZs including in IT/ITES SEZs located in various metro cities which can be put to use for setting up of such campuses of reputed foreign universities. In fact, Deakin University and the University of Wollongong, both Australian universities, have already set up their campuses in the Gujarat International Finance Tec City SEZ, or GIFT City SEZ, in Gandhinagar. Western

Sydney University is also planning to commence its Bengaluru, India campus by 2025. It already has branches in Indonesia and Vietnam.

In view of this, a proposal was sent to D/o Higher Education and D/o Commerce for promoting campuses of reputed foreign universities in Special Economic Zones in India vide email dated 26.9.2024. (Copy attached). A revenue model was also sent to DoC in this regard vide email dated 1.11.2024. (Copy along with the powerpoint presentation attached).

Now, D/o Commerce has issued a letter dated 11.11.2024 (Copy attached) on the subject stating that since the FHIEs will achieve NFEs as per Rule 53(h) of SEZ rules, 2006, there should be no issues at the level of Zones.

EPCES and its developer members will be in touch with reputed Foreign Higher Educational Institutions to enter into this new area of activity, providing world-class education services to Indian and foreign students in Indian SEZs at affordable cost utilising the vacant land / built-up area available with them as per SEZ Acts/Rules and UGC Regulations.

It is requested that this initiative may be promoted at the zonal levels also. EPCES and its members will also be in touch with DC offices for their support in organising promotional workshops in association with such reputed foreign universities and trade officers in various foreign embassies in India.

With regards,



(Alok Chaturvedi)



Alok V Chaturvedi, IAS(Retd)

Director General,

Export Promotion Council for EOUs and SEZs,

A101, 10th Floor Himalaya House 23, KG Marg, New Delhi, Delhi 110001

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website : <https://www.epces.in/>

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Export Promotion Council for EOUs (Export Oriented Units) and SEZs (Special Economic Zones) (EPCES) is a multi-product Export Promotion Council set up by the Ministry of Commerce and Industry, representing the interests of SEZ units, SEZ developers and Export Oriented Units. It has 5971 members with 4629 SEZ units, 384 SEZ developers and 958 EOUs. In FY 2023-24, total exports of goods and services from SEZs were recorded at US \$ 163.69 billion and export of goods from EOUs at 17.2 billion.

☺ ☐ ☐ **6 Attachment(s)** • Download as Zip • Add To >



UGC (Setting up and Operati... .pdf
1.1 MB •



New Education Policy 2020 -... .jpg
156.5 KB •



DG EPCES to DoC dated 1.1.... .pdf
237.7 KB •



DG EPCES to Commerce and... .pdf
259.1 KB •



FHEIs in Indian SEZs - Ben... .pptx
1.7 MB •



DoC letter reg promoting FH... .pdf
389.8 KB •

No.K-43014/17/2024-SEZ
Government of India
Ministry of Commerce & Industry
Department of Commerce
SEZ Division

Vanijya Bhawan, New Delhi,
Dated: 11 November, 2024

To,
Shri Alok Chaturvedi,
Director General,
Export Promotion Council for EOUs and SEZs,

Subject: - Promoting campuses of reputed foreign universities in Special Economic Zones in India.

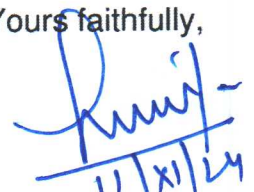
Sir,

I am directed to refer your email dated 01.11.2024 on the captioned subject wherein business model & compliance, of such foreign higher educational institutions (FHEIs) who are interested to establish their campuses in Special Economic Zones (SEZs), have been provided.

2. In this regard, it is stated that since the FHEIs will achieve NFE as per Rule 53(h) of SEZ Rules, 2006 there should be no issue at the level of Zones. Therefore, EPCES may kindly apprise what kind of challenges Western Sydney University and other such interested FHEIs are facing from the Zones in establishing their campuses in SEZs.

3. This issues with the approval of Competent Authority.

Yours faithfully,



(Sumit Kumar Sachan)

Under Secretary to the Govt. of India

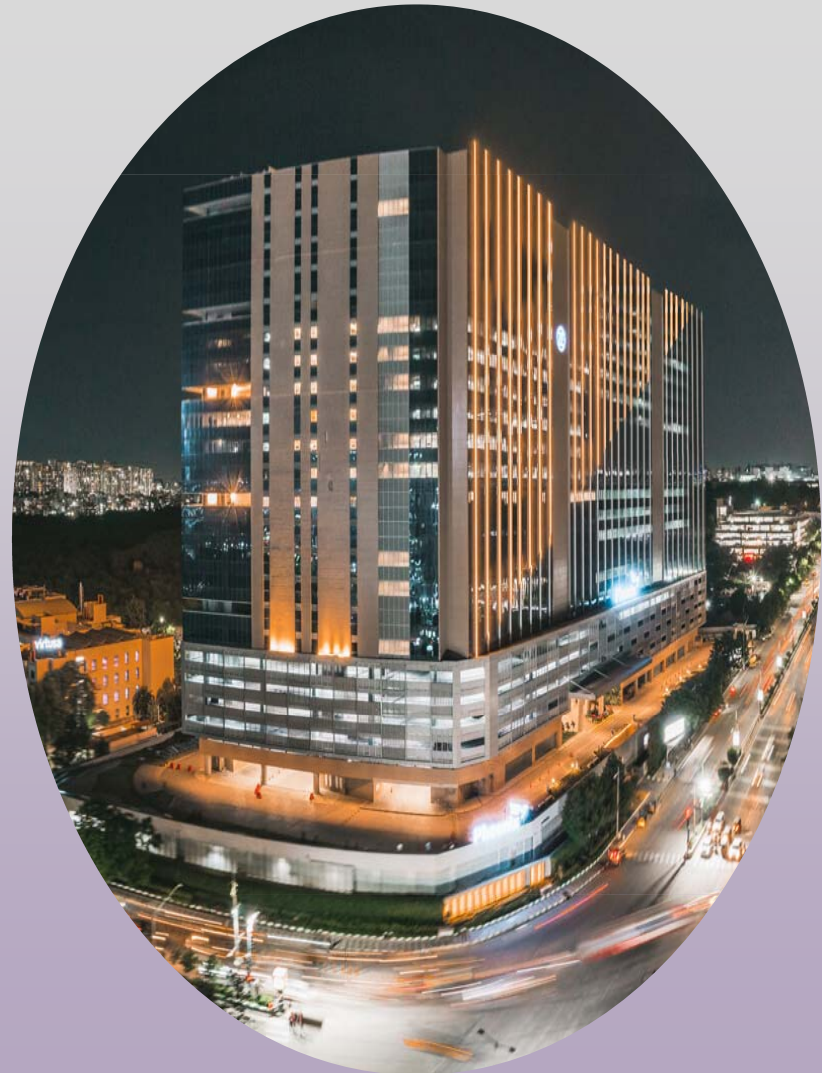
Tel. 011-23039829

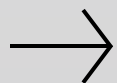
Email: sumit.sachan@nic.in

FOREIGN HIGHER EDUCATION INSTITUTIONS IN INDIAN SEZs

UGC NORMS | CASE STUDY EXAMPLES |
BUSINESS MODELS | COMPLIANCES

2024





FHEI REGULATIONS, 2023

Regulations

The UGC (Setting up and operation of campuses of FHEIs Regulations, 2023) aim to facilitate the entry of Foreign Higher Educational Institutions (FHEIs) into India, in line with the recommendations of the National Education Policy 2020, and to provide an international dimension to higher education in India.

Regulations ensure that the education imparted in the campus is at par with that of the main campus in the country of origin.

Eligibility

Should have secured a position within the top 500 in the overall category of global rankings, as decided by the Commission or
should have secured a position within the top 500 in the subject-wise category of global rankings

Campuses

More than one campus can be set up under a separate application for each proposed campus

Collaboration

Two or more than two FHEIs are allowed collaborate to set up campuses in India, provided each FHEI meets the eligibility criteria individually

Infrastructure

FHEIs are allowed to set up operations using their own infrastructure / land / physical and human resources

Learning mode

FHEIs are NOT allowed to offer programs in online or distance mode under the Regulations

→ CASE STUDIES OF FHEIs SET UP IN INDIA



Australia's Deakin University has already set up its first international branch campus in Gujarat International Finance Technology (GIFT)



Similarly, University of Wollongong Australia, with branches already in Malaysia, Hong Kong and Dubai has set up its operations in GIFT City with the new branch commencing classwork in November 2024.



Western Sydney University is planning to commence its Bengaluru, India campus by 2025. It already has branches in Indonesia and Vietnam.

This will be the third Australian University that showed interest in establishing a FHEI in India, indicating the immense traction towards FHEIs by top ranked institutes.



SEZs Key highlights

Regulations

Special Economic Zone is an area outside the customs territory of India and is administered under the Special Economic Zones Act 2005 and Special Economic Zone Rule 2006 with a Single Window System of administration under the Development Commissioners under the Department of Commerce.

Benefits

Special Economic Zone is an area outside the customs territory of India and is administered under the Special Economic Zones Act 2005 and Special Economic Zone Rule 2006 with a Single Window System of administration under the Development Commissioners under the Department of Commerce.

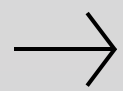
There are some special provisions and concessions regarding import and export of goods and services. They have excellent common infrastructure facilities.

Status

In India, there are about 280 operational SEZs with an investment of Rs 6.92 lakh cr (\$82.71 Bn), exports of \$157.34 Bn (merchandise \$63.04 Bn, services \$94.3 Bn) and employment of 30.70 lakh person. Some of these SEZs have manufacturing companies, while some may have IT/ITES companies while others may have both manufacturing and IT/ITES companies.

Key SEZs

Key IT/ITES SEZs include MIDC Pune, TCS, Kanchipuram, IT Park, Cessna Business Park, Manyata Embassy Business Park, Phoenix Group SEZs, K RAHEJA CORP, Divyasree NSL Infrastructure, ECIL Kancheepuram, RMZ Ecoworld Infrastructure, Bagmane Developers SEZ, DLF Info City Chennai. Key Merchandise SEZs include Reliance Jamnagar SEZ, SEEPZ Mumbai, Adani Ports and SEZ, Vedanta Aluminium Ltd, GMR Hyderabad Aviation SEZ, Surat SEZ, Indore SEZ, Dahej SEZ, NOIDA SEZ, MEPZ Chennai, Cochin SEZ, and Kandla SEZ, etc.



BENEFITS OF SETTING UP FHEIs in INDIAN SEZs

Regulations

A variety of services including educational services, research and development services, etc. can be provided in the SEZs as per Rule 76, SEZ Rules 2006.

Benefits

These higher education campuses will provide opportunities for employees working in SEZs to enhance their skills and stay updated with the latest knowledge in their field. Students graduating from these universities will be well-equipped with the specialized knowledge and skills required by SEZ units, increasing their chances of being recruited directly into these businesses. These in-house FHEIs can be directed to focus on imparting skills specific to the requirements of the companies operating in the zone also thereby ensuring quality professionals to companies and sustainable employment to the students enrolled. The FHEIs operating within SEZs will create a more vibrant local economy while adding integrated social infrastructure of the zones.

This synergy between world-class universities and SEZ industries will not only help in producing highly skilled professionals but will also foster significant growth in research and development, driving innovation and contributing to the overall development of the SEZ ecosystem.

Impact on IT SEZs

IT/ITES SEZs situated in various metros across India have surplus land as well as built-up space due to post covid norm of hybrid work culture in IT/ITES sector. Further SEZs having industries may provide opportunity of greater Academia-Industry collaboration.

Work – Study culture

Though the rents being paid by the FHEIs are NOT as high as that being paid by a IT unit, allowing FHEIs to occupy the vacant spaces within SEZs is a move to encourage a IT Developers through flexi occupancy models while promoting a Work – Study culture.

→ BUSINESS MODEL & COMPLIANCE wrt FHEIs IN SEZs

Income to FHEIs	<p>The income to the FHEIs will be fully obtained through the fees remitted by the students in FOREIGN CURRENCY.</p> <p>The FHEI intending to set up a branch office in India will invest in the infrastructure and bear the costs of operations and maintenance including staff salaries, recruitment, R&D facilities management, and other associated costs related to educational infrastructure</p>
Investment	<p>This synergy between world-class universities and SEZ industries will not only help in producing highly skilled professionals but will also foster significant growth in research and development, driving innovation and contributing to the overall development of the SEZ ecosystem.</p> <p>The parent institute can set up in FHEI in India as only greenfield investment and no investment in brownfield projects is allowed. Guidelines in compliance to FEMA, 1999 regulations will need to be followed.</p>
NFE computation	<p>The supply of service by a SEZ service unit to DTA against payment in convertible foreign exchange will be considered for calculation of NFE as per the Rule 53 (h) of the SEZ Rules, 2005.</p>
Repatriation of funds	<p>There are no prescribed restrictions or conditions on repatriation of funds, cross border movement of funds, remittances from the campus so long as they comply with the applicable foreign exchange laws i.e., remittance of surplus may be allowed from the campus to FHEI.</p> <p>The FHEI Regulations compliance under the Foreign Contribution (Regulation) Act, 2010 ("FCRA") in case of receipt or utilisation of foreign contribution by any person. FHEI is required to obtain permission of the Central Government prior to receiving or utilizing donation from foreign sources.</p>

→ Thank you!

In view of the above, it is requested that the D/o Commerce may promote having campuses of reputed foreign universities in Indian SEZs by making Zonal DC aware of the potential.

This will enable providing facilities of world-class quality education to Indian students at affordable cost. Millions of aspiring **Indian** and **foreign students** / professionals willing to pursue higher education from reputed global institutes will be able to seek quality education without having to pay for the hefty tuition fees, living and travel expenses.

Additionally, it will also address the problem of vacant land/built-up space in IT/ITES SEZs in India.

Policies encouraging FHEIs to establish their campuses within the existing IT/ ITES SEZs will be a viable multi-pronged sustainable strategy creating a win-win situation for students/ FHEIs / IT Companies / IT SEZs and the governments alike.





dg dg <dg@epces.in>

Promoting campuses of reputed foreign universities in Special Economic Zones in India

dg dg <dg@epces.in>

1 November 2024 at 12:36

To: as.lss-doc@gov.in, VIMAL ANAND <vimal.anand@nic.in>

Cc: Sumit Kumar Sachan <sumit.sachan@gov.in>, SEZ SECTION DoC <moc_epz@nic.in>, csooffice@nic.in

Dear Sir(s)

Please refer to the DoC letter no K-43014/17/2024-SEZ dated 29.10.2024 regarding promoting campuses/centres of reputed foreign universities in Special Economic Zones in India as per UGC guidelines.

In this regard, a presentation on benefits and revenue model of FHEI in Indian SEZs is attached.

Basically, the income to the FHEIs will be the tuition and other fees paid by the students by Indian students in Foreign Currency. The supply of service by a SEZ service unit to DTA against payment in convertible foreign exchange will be considered for calculation of NFE as per the Rule 53 (h) of the SEZ Rules, 2005.

Of course, the additional advantages of having a campuses in GIFT City SEZ is that they will have advantage of 100% Tax Exempt (Available 10 yrs out of 15 yrs) and lower MAT rate because of special provisions (courses offered in Financial Management, FinTech, Science, Technology, Engineering and Mathematics by foreign universities or foreign institutions in the International Financial Services Centre, have been notified as financial service by Government vide notification no 2374(E) dated 23.5.2022) under IFSCA. Further, there are separate regulations (International Financial Services Centres Authority (Setting up and Operation of International Branch Campuses and Offshore Education Centres) Regulations, 2022) for this activity.

However, even under normal SEZs, there are advantages and foreign universities can weigh their business model depending upon the demand of such education services in those regions. Further, there is no restriction on the type of courses which can be offered in other SEZs. Western Sydney University is planning to commence its Bengaluru, India campus by 2025. It already has branches in Indonesia and Vietnam. They may offer courses which are suitable for the companies operating in thoses SEZs. Key IT/ITES SEZs include MIDC Pune, TCS, Kanchipuram, IT Park, Cessna Business Park, Manyata Embassy Business Park, Phoenix Group SEZs, K RAHEJA CORP, Divyasree NSL Infrastructure, ECIL Kancheepuram, RMZ Ecoworld Infrastructure, Bagmane Developers SEZ, DLF Info City Chennai. Key Merchandise SEZs include Reliance Jamnagar SEZ, SEEPZ Mumbai, Adani Ports and SEZ, Vedanta Aluminium Ltd, GMR Hyderabad Aviation SEZ, Surat SEZ, Indore SEZ, Dahez SEZ, NOIDA SEZ, MEPZ Chennai, Cochin SEZ, and Kandla SEZ, etc.

Therefore, it is requested that an advisory may kindly be issued from DoC to Zonal Development Officers so that they may not be hesitant in agreeing to this area of educational services in SEZs. They may also be sensitised about it in the ensuing Board of Approval Meeting. EPCES, with the help of industry, will follow up with organising workshops/seminars in association with all stakeholders in this regard.

With regards,



(Alok Chaturvedi)



Alok V Chaturvedi, IAS(Retd)

Director General,

Export Promotion Council for EOUs and SEZs,

A101, 10th Floor Himalaya House 23, KG Marg, New Delhi, Delhi 110001

Mobile +91 8130525959 | Tel: +91 11 23329770

website : <https://www.epces.in/>

twitter : @dgepces (<https://twitter.com/dgepces>)

Export Promotion Council for EOUs (Export Oriented Units) and SEZs (Special Economic Zones) (EPCES) is a multi-product Export Promotion Council set up by the Ministry of Commerce and Industry, representing the interests of SEZ units, SEZ developers and Export Oriented Units. It has 5971 members with 4629 SEZ units, 384 SEZ developers and 958 EOUs. In FY 2023-24, total exports of goods and services from SEZs were recorded at US \$ 163.69 billion and export of goods from EOUs at 17.2 billion.

[Quoted text hidden]



FHEIs in Indian SEZs - Benefits and Revenue Model.pptx

1743K



dg dg <dg@epces.in>

Promoting campuses of reputed foreign universities in Special Economic Zones in India

dg dg <dg@epces.in>

26 September 2024 at 17:30

To: secy.dhe@nic.in

Cc: csoffice@nic.in, as.lss-doc@gov.in, VIMAL ANAND <vimal.anand@nic.in>, Senthil Nathan Nathan Director Ministry of Commerce <senthil.nathan@gov.in>, Sumit Sachan <sumit.sachan@nic.in>

Dear Sir

This is regarding the promotion of foreign higher educational institution (FHEI) campuses in vacant built-up spaces within Special Economic Zones (SEZs) in India. This initiative aims to provide world-class higher education to Indian students at an affordable cost, in line with the Government of India's New Education Policy.

In this regard, the following may kindly be appreciated:

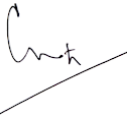
- (i) Special Economic Zone is an area outside the customs territory of India and is administered under the Special Economic Zones Act 2005 and Special Economic Zone Rule 2006 with a Single Window System of administration under the Development Commissioners under the Department of Commerce. They are primarily meant for export of goods and services with special provisions of supply of the same to domestic areas (outside SEZ) as well. There are some special provisions and concessions regarding import and export of goods and services. They have excellent common infrastructure facilities.
- (ii) In India, there are about 280 operational SEZs with an investment of Rs 6.92 lakh cr (\$82.71 Bn), exports of \$157.34 Bn (merchandise \$63.04 Bn, services \$94.3 Bn) and employment of 30.70 lakh person. Some of these SEZs have manufacturing companies, while some may have IT/ITES companies while others may have both manufacturing and IT/ITES companies. Key IT/ITES SEZs include MIDC Pune, TCS, Kanchipuram, IT Park, Cessna Business Park, Manyata Embassy Business Park, Divyasree NSL Infrastructure, ECIL Kancheepuram, RMZ Ecoworld Infrastructure, Bagmane Developers SEZ, DLF Info City Chennai. Key Merchandise SEZs include Reliance Jamnagar SEZ, Phoenix Group SEZs, K RAHEJA CORP, SEEPZ Mumbai, Adani Ports and SEZ, Vedanta Aluminium Ltd, GMR Hyderabad Aviation SEZ, Surat SEZ, Indore SEZ, Dahej SEZ, NOIDA SEZ, MEPZ Chennai, Cochin SEZ, and Kandla SEZ, etc.
- (iii) A variety of services including educational services, research and development services, etc. can be provided in the SEZs as per Rule 76, SEZ Rules 2006.
- (iv) The New Education Policy, 2020 (NEP) has set out a clear vision to facilitate top foreign universities to operate in India. This will provide an international dimension to higher education, enable Indian students to obtain foreign qualifications at affordable cost, and help in making India an attractive global study destination.
- (v) Accordingly, University Grants Commission (UGC) notified UGC (Setting Up and Operation of Campuses of Foreign Higher Educational Institutions in India) Regulations, 2023.
- (vi) Earlier, the International Financial Services Authority (IFSCA) has also permitted foreign universities and institutions to set up campuses in the GIFT International Financial Services Centre, an SEZ, through the IFSCA (Setting up and Operation of International Branch Campuses and Offshore Education Centres) regulations, 2022.
- (vii) It is learnt that Deakin University and the University of Wollongong, both Australian universities, have already set up their campuses in the Gujarat International Finance Tec City SEZ, or GIFT City SEZ, in Gandhinagar.

(viii) These higher education campuses will provide opportunities for employees working in SEZs to enhance their skills and stay updated with the latest knowledge in their fields. Additionally, students graduating from these universities will be well-equipped with the specialized knowledge and skills required by SEZ units, increasing their chances of being recruited directly into these businesses. This synergy between world-class universities and SEZ industries will not only help in producing highly skilled professionals but will also foster significant growth in research and development, driving innovation and contributing to the overall development of the SEZ ecosystem.

(ix) IT/ITES SEZs situated in various metros across India have surplus land as well as built-up space due to post covid norm of hybrid work culture in IT/ITES sector. Further SEZs having industries may provide opportunity of greater Academia-Industry collaboration.

In view of the above, it is requested that the D/o Higher Education and the D/o Commerce may jointly promote having campuses of reputed foreign universities in Indian SEZs. This will enable providing facilities of world-class quality education to Indian Students at affordable cost. Additionally, it will also address the problem of vacant land/built-up space in IT/ITES SEZs in India.

With regards,



(Alok Chaturvedi)



Alok V Chaturvedi, IAS(Retd)

Director General,

Export Promotion Council for EOUs and SEZs,

A101, 10th Floor Himalaya House 23, KG Marg, New Delhi, Delhi 110001

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असाधारण
EXTRAORDINARY

भाग III—खण्ड 4
PART III—Section 4

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 752]

नई दिल्ली, बुधवार, नवम्बर 8, 2023/कार्तिक 17, 1945

No. 752]

NEW DELHI, WEDNESDAY, NOVEMBER 8, 2023/KARTIKA 17, 1945

विश्वविद्यालय अनुदान आयोग

अधिसूचना

नई दिल्ली, 7 नवम्बर, 2023

मि.सं. 1-1/2023(IC-FHEI).—जबकि विश्वविद्यालय अनुदान आयोग ने भारत में उच्चतर शिक्षा प्रणाली के अंतर्राष्ट्रीयकरण के लिए कई कदम उठाए हैं। विश्वविद्यालय अनुदान आयोग ने उच्चतर शिक्षा के अंतर्राष्ट्रीयकरण पर दिशा-निर्देशों को वर्ष 2021 में अधिसूचित किया जिसमें विश्वविद्यालयों में अंतर्राष्ट्रीय मामलों के लिए एक कार्यालय और पूर्व छात्र संपर्क प्रकोष्ठ की स्थापना जैसे प्रावधान शामिल थे;

जबकि भारतीय उच्चतर शिक्षण संस्थानों और विदेशी उच्चतर शिक्षण संस्थानों के बीच शैक्षणिक सहयोग को बढ़ावा देने के लिए, विश्वविद्यालय अनुदान आयोग (युगल उपाधि, संयुक्त उपाधि और दोहरी उपाधि कार्यक्रमों को प्रदान करने हेतु भारतीय और विदेशी उच्चतर शैक्षिक संस्थानों के बीच अकादमिक सहयोग) विनियम, 2022 को 2 मई, 2022 में अधिसूचित किया गया था। जबकि राष्ट्रीय शिक्षा नीति, 2020 में यथा परिकल्पित भारतीय उच्चतर शिक्षा के अंतर्राष्ट्रीयकरण के लिए उच्चतर रैंक वाले विदेशी विश्वविद्यालयों के प्रवेश हेतु सुविधा प्रदान करने के लिए एक नियामक फ्रेमवर्क उच्चतर शिक्षा को एक अंतरराष्ट्रीय आयाम प्रदान करेगा, भारतीय छात्रों को सस्ती लागत पर विदेशी योग्यता प्राप्त करने में सक्षम बनाएगा और भारत को एक आकर्षक वैश्विक अध्ययन गंतव्य बनाएगा। और जबकि भारत में विदेशी उच्चतर शिक्षण संस्थानों के प्रवेश को सुविधाजनक बनाने की आवश्यकता है।

अतः अब, विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 (1956 का 3) की धारा 26 की उप-धारा (ठ) के खंड (च) और (छ) के साथ पठित धारा 12 के खंड (ज) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए विश्वविद्यालय अनुदान आयोग निम्नलिखित विनियम बनाता है, नामतः:-

1. **लघु शीर्षक, प्रयोग एवं प्रवर्तन:-** (1) इन विनियमों को विश्वविद्यालय अनुदान आयोग (भारत में विदेशी उच्चतर शिक्षा संस्थानों के परिसरों की स्थापना और संचालन) विनियम, 2023 कहा जाएगा।

(2) ये विनियम स्नातक, स्नातकोत्तर, डॉक्टरेट और पोस्ट डॉक्टरेट स्तरों पर प्रमाण-पत्र, डिप्लोमा, डिग्री, अनुसंधान और अन्य कार्यक्रमों के संचालन के लिए इन विनियमों के अंतर्गत अनुमोदन प्राप्त करने वाले विदेशी उच्चतर शिक्षण संस्थानों के परिसरों पर लागू होंगे।

(3) ये विनियम आधिकारिक राजपत्र में अपने प्रकाशन की तिथि से प्रवर्तन में आएंगे।

2. **परिभाषाएँ- (i)** इन विनियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो:-

(क) "अधिनियम" से विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 (1956 का 3) अभिप्रेत है;

(ख) "परिसर" का अभिप्राय एक विदेशी उच्चतर शिक्षण संस्थान द्वारा भारत में स्थापित एक परिसर से है, जो इन विनियमों के अंतर्गत सम्यक अनुमोदित स्नातक, स्नातकोत्तर, डॉक्टरेट और पोस्ट डॉक्टरेट स्तरों पर प्रमाणपत्र, डिप्लोमा, डिग्री, अनुसंधान और अन्य कार्यक्रमों को संचालित करता हो;

(ग) "पाठ्यक्रम" का अभिप्राय उन इकाइयों में से एक है जिसमें अध्ययन का एक कार्यक्रम शामिल है;

(घ) "शुल्क" का अभिप्राय, पाठ्यक्रम या कार्यक्रम के लिए नामांकित छात्रों द्वारा देय सभी प्रकार के शुल्क से है, जैसे शिक्षण शुल्क और विकास शुल्क इत्यादि, जिन्हें जिस भी नाम से बुलाया जाता है;

(ङ.) "विदेशी उच्च शैक्षणिक संस्थानों" में, किसी विदेशी देश में विश्वविद्यालय या शैक्षिक संस्थान दोनों शामिल हैं, जो किसी भी प्रक्रिया में, जैसे कि ट्रस्ट या सोसायटी या कंपनी या सांविधिक निकाय या अपने मूल देश में अन्य कोई कानूनी संस्थान के रूप में विधिवत मान्यता प्राप्त और स्थापित या निगमित है, और अपने अधिकार क्षेत्र के भीतर और बाहर, जैसा भी मामला हो, स्नातक या उच्चतर स्तरों पर अकादमिक एवं अनुसंधान कार्यक्रमों को प्रदान करने के लिए विधिवत रूप से अधिकृत है;

(च) "कार्यक्रम" से अभिप्राय ऐसे अध्ययन से है जिससे इन विनियमों के अधीन अनुमोदित विदेशी उच्चतर शिक्षा संस्थान के परिसर द्वारा प्रमाणपत्र या डिप्लोमा या डिग्री प्रदान की जाती है।

(2) इन विनियमों में प्रयुक्त और अपारिभाषित, बल्कि अधिनियम में पारिभाषित शब्दों और अभिव्यक्तियों का अर्थ वही होगा जैसा की उन्हें क्रमशः अधिनियम में पारिभाषित किया गया है।

3. **पात्रता-** (1) भारत में परिसर स्थापित करने का इच्छुक विदेशी उच्चतर शिक्षण संस्थान को आवेदन के समय पर निम्नलिखित मानदंडों में से किसी एक को पूरा करना होगा:

(क) उसने आवेदन के समय पर, आयोग द्वारा समय-समय पर निर्धारित वैश्विक रैंकिंग की समग्र श्रेणी में शीर्षस्थ पांच सौ संस्थाओं के भीतर स्थान प्राप्त किया हो, अथवा

(ख) उसने आवेदन के समय पर वैश्विक रैंकिंग की विषयवार श्रेणी में शीर्ष पांच सौ संस्थाओं के भीतर स्थान प्राप्त किया हो अथवा आयोग द्वारा समय-समय पर यथा निर्णीत किसी विशेष क्षेत्र में उत्कृष्ट विशेषज्ञता प्राप्त की हो।

(2) भारत में परिसर स्थापित करने हेतु सहयोग करने के लिए इच्छुक दो या दो से अधिक विदेशी उच्चतर शिक्षण संस्थानों के मामले में, प्रत्येक विदेशी उच्चतर शिक्षण संस्थान को पात्रता मानदंडों को पूरा करना होगा।

4. **अनुमोदन की प्रक्रिया-** (1) यदि विदेशी उच्चतर शिक्षण संस्थान एक से अधिक परिसर स्थापित करने का इच्छुक है, तो वह इन विनियमों में निर्धारित प्रक्रिया के अंतर्गत आयोग को हर परिसर के लिए अलग आवेदन करेगा।

(2) पात्रता मानदंडों को पूरा करने के उपरांत, विदेशी उच्चतर शिक्षण संस्थान आयोग द्वारा समय-समय पर यथा निर्णीत अप्रतिदेय प्रोसेसिंग शुल्क के साथ आयोग को ऑनलाइन आवेदन करेगा।

(3) विदेशी उच्चतर शिक्षण संस्थान आवेदन के साथ निम्नलिखित दस्तावेजों को विश्वविद्यालय अनुदान आयोग के पोर्टल पर अपलोड करेगा, नामतः:-

(क) भारत में परिसर स्थापित करने के लिए शासी निकाय या बोर्ड, जिस भी नाम से उसे बुलाया जाता हो, से अनुमति;

(ख) प्रस्तावित स्थान, अवसंरचनात्मक सुविधाओं, शुल्क संरचना, शैक्षणिक कार्यक्रमों, पाठ्यक्रमों, पाठ्यचर्या, संकाय की उपलब्धता और भारत में परिसरों की स्थापना और संचालनों के लिए वित्तीय संसाधनों की उपलब्धता का विवरण, तथा कोई भी अन्य विवरण, जिसे मांगा जाए;

(ग) इस संबंध में आशय का एक उपक्रम पत्र देना होगा कि-

- (i) उसके द्वारा अपने भारतीय परिसर में प्रदान की जाने वाली शिक्षा की गुणवत्ता उसके मूल देश के मुख्य परिसर में प्रदान की जा रही शिक्षा के समान है; और
- (ii) भारतीय परिसर में विद्यार्थियों को प्रदान की गई उपाधियों की मान्यता और दर्जा वही होगा, मानो की उन्हें उसके गृह क्षेत्राधिकार में संचालित किया गया हो, अर्थात् उन्हें विदेशी उच्चतर शिक्षण संस्थान के मूल देश में मान्यता प्राप्त होगी और वे मूल देश में स्थित मुख्य परिसर में विदेशी उच्चतर शिक्षण संस्थान द्वारा प्रदत्त तदनुसूची उपाधियों के समतुल्य होंगी।

(घ) किसी मान्यताप्राप्त निकाय से नवीनतम प्रत्यायन या गुणवत्ता आश्वासन रिपोर्ट; और

(ङ) आवेदन पोर्टल में निर्दिष्ट कोई अन्य दस्तावेज।

(4) आयोग भारत में विदेशी उच्चतर शिक्षण संस्थानों के परिसरों की स्थापना और संचालन से संबंधित मामलों की जांच करने के लिए एक स्थायी समिति का गठन करेगा।

(5) स्थायी समिति शैक्षिक संस्थानों की विश्वसनीयता, प्रदान किए जाने वाले कार्यक्रमों, भारत में शैक्षिक अवसरों को मजबूती प्रदान करने की उनकी क्षमता, और प्रस्तावित शैक्षणिक बुनियादी ढांचे सहित योग्यता के आधार पर प्रत्येक आवेदन का निर्धारण करेगी और उस संबंध में सिफारिशें देगी।

(6) यदि आवेदक किसी विशेष क्षेत्र में उत्कृष्ट विशेषज्ञता प्राप्त कोई विदेशी उच्चतर शिक्षण संस्थान है, तो स्थायी समिति उसकी शक्ति, उत्कृष्ट योगदान, अनुसंधान क्षमताओं, संस्थागत इतिहास, संस्थागत प्रतिष्ठा एवं प्रभाव, और क्षेत्रों के भीतर अन्य के मध्य व्यावसायिक मान्यता पर विचार करेगी।

(7) स्थायी समिति की सिफारिशें सभी प्रकार से पूर्ण आवेदन प्राप्त होने की तारीख से साठ दिनों की अवधि के भीतर आयोग के समक्ष प्रस्तुत की जाएंगी।

(8) स्थायी समिति की सिफारिशों के आधार पर, आयोग प्रारंभ में, साठ दिनों की अवधि के भीतर सैद्धांतिक अनुमोदन प्रदान कर सकता है और अनुमोदन की तारीख से दो वर्षों के भीतर भारत में परिसर स्थापित करने के लिए विदेशी उच्चतर शिक्षण संस्थान को एक आशय पत्र जारी कर सकता है।

(9) आयोग के पास मामला-दर-मामला आधार पर उसे विस्तारित, यदि आवश्यक हो, करने का अधिकार आरक्षित है।

(10) आवेदक विदेशी उच्चतर शिक्षण संस्थान आयोग को अपने शैक्षणिक संचालन शुरू करने के लिए तत्परता से अवगत कराएगा और स्थायी समिति परिसर की तत्परता की जांच करेगी और अपनी सिफारिशें देगी।

(11) आयोग स्थायी समिति की सिफारिशों पर विचार करेगी और भारत में किसी परिसर का संचालन शर्तों के साथ या बिना शर्तों के साथ शुरू करने के लिए 60 दिनों की अवधि के भीतर विदेशी उच्चतर शिक्षण संस्थान को मंजूरी प्रदान करेगी।

5. प्रवेश एवं शुल्क संरचना: (1) विदेशी उच्चतर शिक्षण संस्थानों का परिसर घरेलू और अंतर्राष्ट्रीय छात्रों को प्रवेश देने के लिए अपनी प्रवेश प्रक्रिया और मानदंड विकसित कर सकता है।

(2) विदेशी उच्चतर शिक्षण संस्थान शुल्क संरचना तय करेगा, जो पारदर्शी और उचित होगी।

(3) विदेशी उच्चतर शिक्षण संस्थान प्रवेश शुरू होने से कम से कम साठ दिन पहले विभिन्न कार्यक्रमों की शुल्क संरचना, प्रतिदेय नीति, किसी कार्यक्रम में सीटों की संख्या, पात्रता योग्यताएं, और प्रवेश प्रक्रिया सहित अपनी वेबसाइट पर पाठ्य-विवरणिका उपलब्ध कराएगा।

(4) मूल्यांकन प्रक्रिया के आधार पर, विदेशी उच्चतर शिक्षण संस्थान अक्षयनिधि पूर्व छात्रों द्वारा दिए गये दान, ट्यूशन राजस्व और अन्य स्रोतों जैसी निधियों से पूर्ण या आंशिक योग्यता आधारित या आवश्यकता आधारित छात्रवृत्ति प्रदान कर सकेगा।

(5) विदेशी उच्चतर शिक्षण संस्थान उन छात्रों को ट्यूशन फीस में छूट दे सकता है, जो भारतीय नागरिक हैं।

6. संकाय और कर्मचारियों की नियुक्ति और अन्य संबंधित प्रावधान: – (1) विदेशी उच्चतर शिक्षण संस्थान को भारत और विदेशों में अपने भर्ती मानदंडों के अनुसार संकाय और कर्मचारियों की भर्ती करने की स्वायत्तता होगी।

(2) विदेशी उच्चतर शिक्षण संस्थान संकाय और कर्मचारियों की नियुक्ति के लिए योग्यता, वेतन संरचना, और सेवा की अन्य शर्तों का निर्णय कर सकता है। तथापि, विदेशी उच्चतर शिक्षण संस्थान यह सुनिश्चित करेगा कि नियुक्त किए गए संकाय की योग्यता उसके मूल देश के मुख्य परिसर में नियुक्त संकाय के समकक्ष होगी।

(3) विदेशी उच्चतर शिक्षण संस्थान यह सुनिश्चित करेगा कि भारतीय परिसर में पढ़ाने के लिए नियुक्त अंतर्राष्ट्रीय संकाय कम से कम एक सेमेस्टर के लिए भारत में रहेगा।

7. सामान्य शर्तें- (1) विदेशी उच्चतर शिक्षण संस्थान तब तक छात्रों को प्रवेश नहीं देगा और शुल्क एकत्र नहीं करेगा जब तक वह भारत में अपना परिसर स्थापित करने के लिए इन विनियमों के तहत विधिवत अनुमोदित न हो जाए।

(2) विदेशी उच्चतर शिक्षण संस्थान यह सुनिश्चित करेगा कि शिक्षा पाठ्यचर्या, शिक्षाशास्त्र, मूल्यांकन और अन्य पहलुओं में उसी तरह से प्रदान की जाएगी, जैसा कि उसके मूल देश के मुख्य परिसर में है।

(3) कार्यक्रम को ऑनलाइन या मुक्त एवं दूरस्थ शिक्षण माध्यमों से प्रदान करने की अनुमति नहीं दी जाएगी। तथापि, ऑनलाइन माध्यम से व्याख्यान, जो कार्यक्रम की आवश्यकताओं के दस प्रतिशत से अधिक न हों, की अनुमति दी जा सकती है।

(4) विदेशी उच्चतर शिक्षण संस्थान कोई भी नया कार्यक्रम शुरू करने से पहले विश्वविद्यालय अनुदान आयोग पोर्टल के माध्यम से आयोग का पूर्व अनुमोदन प्राप्त करेगा।

(5) इन विनियमों के अंतर्गत भारत में विदेशी उच्चतर शिक्षण संस्थान के परिसर में दी जाने वाली उपाधियाँ उसके मूल देश में विदेशी उच्चतर शिक्षण संस्थान के नाम और मोहर के तहत प्रदान की जाएंगी।

(6) भारतीय परिसर में छात्रों को प्रदान की गयी उपाधियों की मान्यता और दर्जा वही होगा, जैसे कि उन्हें विदेशी उच्चतर शिक्षण संस्थान के अपने गृह अधिकार क्षेत्र में संचालित किया गया हो, अर्थात्, उन्हें विदेशी उच्चतर शिक्षण संस्थान के मूल देश में मान्यता दी जाएगी और मूल देश में स्थित मुख्य परिसर में विदेशी उच्चतर शिक्षण संस्थान द्वारा प्रदान की गई तदनुसंगी उपाधियों के बराबर होगी।

(7) इन विनियमों के अंतर्गत प्रदान की गई उपाधियाँ भारतीय उच्चतर शिक्षण संस्थान द्वारा उच्चतर शिक्षा और रोजगार सहित सभी प्रयोजनों के लिए निम्नलिखित निदेशों के साथ प्रदान की गई किसी भी संगत डिग्री के बराबर होंगी, अर्थात्: -

(क) किसी भी प्राधिकरण से समतुल्यता प्राप्त करने की कोई और आवश्यकता नहीं होगी; और

(ख) डिग्री के वे सभी लाभ, अधिकार और विशेषाधिकार होंगे जो आमतौर पर भारतीय उच्च शिक्षा संस्थान द्वारा प्रदान की जाने वाली डिग्री के मामले में प्राप्त होते हैं।

(8) विदेशी उच्चतर शिक्षण संस्थान भारत में अपने परिसर की स्थापना और संचालन के लिए आवश्यक वित्तीय और अन्य संसाधनों की उपयुक्तता प्रस्तुत करेगा।

(9) विदेशी उच्चतर शिक्षण संस्थान के पास भारत में अपने परिसर में शैक्षणिक और अनुसंधान कार्यक्रमों को संचालित करने के लिए आवश्यक भौतिक, शैक्षणिक और अनुसंधान बुनियादी ढांचा और सुविधाएं होना जरूरी है।

(10) विदेशी उच्चतर शिक्षण संस्थान अध्ययन के ऐसे किसी भी कार्यक्रम को प्रदान नहीं करेगा जो भारत में उच्चतर शिक्षा के मानकों के विपरीत हों।

(11) विदेशी उच्चतर शिक्षण संस्थान का संचालन भारत की संप्रभुता और अखंडता, राष्ट्र की सुरक्षा, विदेशी राष्ट्रों के साथ मैत्रीपूर्ण संबंधों, सार्वजनिक व्यवस्था, कानून व्यवस्था, शिष्टाचार या नैतिकता के विपरीत नहीं होगा।

(12) निधियों का सीमा-पार संचलन और विदेशी मुद्रा खाते रखना, भुगतान का तरीका, निधि-प्रेषण, प्रत्यावर्तन और बिक्री आगमों, यदि कोई हो, विदेशी मुद्रा प्रबंधन अधिनियम, 1999 (1999 का 42) और उसके अंतर्गत बनाए गए नियमों और विनियमों के उपबंधों के अनुसार होगा।

(13) विदेशी उच्चतर शिक्षण संस्थान यह सुनिश्चित करेगा कि किसी व्यक्ति द्वारा विदेशी अभिदाय की प्राप्ति या उसके उपयोग के मामले में विदेशी अभिदाय (विनियमन) अधिनियम, 2010 (2010 का 42) और उसके अंतर्गत बनाए गए नियमों और विनियमों का अनुपालन किया जा रहा है।

(14) यदि कोई विदेशी उच्चतर शिक्षण संस्थान विदेशी स्रोतों से दान प्राप्त करना चाहता है या उसका उपयोग करना चाहता है, तो उसे केंद्र सरकार की पूर्व अनुमति प्राप्त करनी होगी तथा विदेशी अभिदाय (विनियमन) अधिनियम, 2010 (2010 का 42) के उपबंधों का अनुपालन करना होगा।

(15) विदेशी उच्चतर शिक्षण संस्थान समय-समय पर आयोग और भारत सरकार द्वारा निर्दिष्ट कोई भी अन्य शर्तों का पालन करेगा।

(16) विदेशी उच्चतर शिक्षण संस्थान अपने गृह क्षेत्राधिकार या भारत के बाहर किसी अन्य अधिकार क्षेत्र में अपने कार्यक्रमों के लिए प्रचार गतिविधियों को शुरू करने हेतु, मूल इकाई के प्रतिनिधि कार्यालय के रूप में कार्य नहीं करेगा।

(17) विदेशी उच्चतर शिक्षण संस्थान भारतीय उच्चतर शिक्षण संस्थानों या भारतीय कंपनी के साथ संयुक्त उद्यम में प्रवेश कर सकते हैं।

(18) किंतु, विदेशी उच्चतर शिक्षण संस्थान का भारत में स्वतंत्र परिसर होगा जहाँ अकादमिक और अनुसंधान कार्यक्रमों के संचालन के लिए आवश्यक भौतिक, शैक्षणिक और अनुसंधान बुनियादी ढांचा और सुविधाएँ होनी चाहिए।

(19) विदेशी उच्चतर शिक्षण संस्थान गुणवत्ता आश्वासन लेखा परीक्षा कराएगा और आयोग को रिपोर्ट प्रस्तुत करेगा।

8. वार्षिक रिपोर्ट और लेखाओं का रख-रखाव- (1) विदेशी उच्चतर शिक्षण संस्थान आयोग को एक वार्षिक रिपोर्ट प्रस्तुत करेगा जिसमें प्रदान किए जा रहे कार्यक्रमों, भर्ती किए गए और उत्तीर्ण छात्रों की संख्या तथा प्रदान की गई उपाधियों का विवरण होगा।

(2) वार्षिक रिपोर्ट विदेशी उच्चतर शिक्षण संस्थान या उसके परिसर की वेबसाइट पर उपलब्ध करानी होगी।

(3) विदेशी उच्चतर शिक्षण संस्थान आयोग को वार्षिक रूप से एक लेखा परीक्षा रिपोर्ट प्रस्तुत करेगा जिसमें यह प्रमाणित किया गया हो कि भारत में विदेशी उच्चतर शिक्षण संस्थान का संचालन विदेशी मुद्रा प्रबंधन अधिनियम, 1999 (1999 का 42) या विदेशी अभिदाय (विनियमन) अधिनियम, 2010 (2010 का 42) और उसके तहत बनाए गए नियमों और विनियमों या किसी अन्य लागू अधिनियम या कानूनों या नियमों या विनियमों या दिशा-निर्देशों और इस संबंध में नियम या विनियम या नीतियाँ प्रासंगिक राज्य कानूनों के अनुपालन में है।

9. छात्रों के हितों की रक्षा- (1) विदेशी उच्चतर शिक्षण संस्थान आयोग के पूर्व अनुमोदन के बिना किसी भी पाठ्यक्रम या कार्यक्रम एवं परिसर को बंद नहीं करेगा।

(2) कोई पाठ्यक्रम या कार्यक्रम में व्यवधान या परिसर को आगे नहीं चलाने या उसे बंद करने के मामले में, मूल इकाई प्रभावित छात्रों को पाठ्यक्रम या कार्यक्रम के पुनः आवंटन सहित विकल्प उपलब्ध करने के लिए जिम्मेदार होगी।

(3) विदेशी उच्चतर शिक्षण संस्थान में छात्रों की शिकायतों को दूर करने के लिए एक तंत्र होगा। यदि विदेशी उच्चतर शिक्षण संस्थान शिकायतों का निवारण करने में विफल रहता है, तो छात्र अपनी शिकायतों के निवारण के लिए आयोग से अपील कर सकते हैं।

(10) निरीक्षण का अधिकार- आयोग को परिसर का दौरा करने और बुनियादी ढांचे, शैक्षणिक कार्यक्रमों एवं समग्र गुणवत्ता और उपयुक्तता का पता लगाने के लिए उसके संचालन की जांच करने की शक्ति होगी।

(11) भारत में विदेशी उच्चतर शिक्षण संस्थान के परिसरों की स्थापना एवं संचालन पर निषेध - (1) कोई भी विदेशी उच्चतर शिक्षण संस्थान आयोग के पूर्व अनुमोदन के बिना भारत में कोई भी परिसर स्थापित और संचालित नहीं कर सकता।

(2) कोई भी विदेशी उच्चतर शिक्षण संस्थान भारत में किसी भी कार्यक्रम को आयोग के पूर्व अनुमोदन के बिना प्रदान नहीं करेगा।

(3) आयोग निम्नलिखित में से किसी भी स्थिति में किसी भी समय पर कारण दर्ज करने के बाद विदेशी उच्चतर शिक्षण संस्थानों को जारी किए गए अनुमोदन को रद्द या निलंबित या वापस ले लेगा या ऐसी अन्य कार्रवाई करेगा जो वह उचित समझे, अर्थातः

(क) विदेशी उच्चतर शिक्षण संस्थान का परिसर इन नियमों का पालन करने में विफल रहता है या उनका उल्लंघन करता है;

(ख) उसकी गतिविधियाँ या शैक्षणिक कार्यक्रम भारत के हित के विरुद्ध हैं।

(ग) वह आवेदन के समय पर दिए गए वचन का पालन करने में विफल रहता है;

(घ) वह इन नियमों के तहत अनुमत संचालनों के अलावा, अन्य संचालन में संलग्न है; और

(ङ) कुछ भी प्रतिकूल पाया जाना, तथ्यों का दुरुपयोग और उन्हें छुपाना।

(12) **न्यायालयों का क्षेत्राधिकार:-** इन विनियमों के संबंध में किसी भी विवाद के मामले में, भारत में न्यायालयों के पास अनन्य क्षेत्राधिकार होगा।

(13) **निर्वाचन:-** (1) यदि इन विनियमों के उपबंधों के संबंध में कोई प्रश्न उठता है तो आयोग उस प्रश्न का विनिश्चय करेगा।

(2) आयोग के पास इन विनियमों को लागू करने के बारे में किसी भी संदेह, कठिनाई या विसंगति को स्पष्ट करने की शक्ति होगी।

(3) इन विनियमों के प्रावधानों की व्याख्या से संबंधित किसी भी विवाद के मामले में, आयोग उसे केंद्र सरकार के निर्णय के लिए निर्दिष्ट कर सकता है।

प्रा. मनिष र. जोशी, सचिव

[विज्ञापन-III/4/असा./535/2023-24]

UNIVERSITY GRANTS COMMISSION

NOTIFICATION

New Delhi, the 7th November, 2023

F. No. 1-1/2023(IC-FHEI).—Whereas the University Grants Commission has initiated several measures for the internationalization of the higher education system in India. The University Grants Commission notified the guidelines on Internationalization of Higher Education in the year 2021, which included provisions like setting up an office for International Affairs and Alumni Connect Cell in the universities;

Whereas, to foster academic collaboration between Indian higher educational institutions and foreign higher educational institutions, the University Grants Commission (Academic Collaboration between Indian and Foreign Higher Educational Institutions to offer Twinning, Joint Degree and Dual Degree Programmes) Regulations, 2022 were notified on 2nd May, 2022; Whereas, a regulatory framework allowing the entry of higher-ranked foreign universities, for the internationalization of Indian higher education as envisaged in National Education Policy, 2020 will provide an international dimension to higher education, enable Indian students to obtain foreign qualifications at affordable cost, and make India an attractive global study destination. And whereas there is a need to facilitate the entry of foreign higher educational institutions into India.

Now, therefore, in exercise of the powers conferred by clause (j) of section 12 read with clauses (f) and (g) of sub-section (1) of section 26 of the University Grants Commission Act, 1956 (3 of 1956), the University Grants Commission hereby makes the following regulations, namely:-

1. Short title, application, and commencement.—(1) These regulations may be called the University Grants Commission (Setting up and Operation of Campuses of Foreign Higher Educational Institutions in India) Regulations, 2023.

(2) They shall apply to the campuses of Foreign Higher Educational Institutions seeking approval under these regulations to conduct certificate, diploma, degree, research and other programmes at the undergraduate, postgraduate, doctoral and post-doctoral levels.

(3) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.—(1) In these regulations, unless the context otherwise requires,-

(a) “Act” means the University Grants Commission Act, 1956 (3 of 1956);

(b) “Campus” means a campus set up in India by a Foreign Higher Educational Institution to conduct certificate, diploma, degree, research and other programmes at undergraduate, postgraduate, doctoral and post-doctoral levels duly approved under these regulations;

- (c) “course” means one of the units which comprise a programme of study;
- (d) “fees” means all fees, including tuition fees and developmental charges, by whatever name called, payable by the students enrolled for the course or programme;
- (e) “Foreign Higher Educational Institutions” includes both a University or an Educational Institution in a foreign country duly recognized and established or incorporated in any manner such as Trust or Society or Company or Statutory Body or other legal forms in the country of its origin, and is duly authorized to offer academic and research programmes at the undergraduate or higher levels, within and outside its jurisdiction, as the case may be;
- (f) “Programme” means a study programme leading to the award of a certificate or diploma or degree by a campus of a Foreign Higher Educational Institution approved under these regulations.

(2) The words and expressions used in these regulations and not defined, but defined in the Act, shall have the same meaning respectively assigned to them in the Act.

3. Eligibility.- (1) The Foreign Higher Educational Institution intending to establish campuses in India shall fulfil any of the following criteria at the time of application, that-

- (a) it should have secured a position within the top five hundred in the overall category of global rankings at the time of application, as decided by the Commission from time to time; or
- (b) it should have secured a position within the top five hundred in the subject-wise category of global rankings at the time of application or should possess outstanding expertise in a particular area, as decided by the Commission from time to time.

(2) In the case of two or more than two Foreign Higher Educational Institutions intending to collaborate to establish campuses in India, each Foreign Higher Educational Institution should meet the eligibility criteria.

4. Procedure for approval.-(1) In case the Foreign Higher Educational Institution intends to set up more than one campus, it shall make a separate application to the Commission under the procedure laid down in these regulations.

(2) Upon fulfilment of the eligibility criteria, the Foreign Higher Educational Institution shall apply online to the Commission along with the non-refundable processing fee, as decided by the Commission from time to time.

(3) The Foreign Higher Educational Institution shall upload the following documents along with the application on the University Grants Commission portal, namely:-

- (a) permission by the Governing Body or Board, by whatever name called, for establishing campuses in India;
- (b) information on the proposed location, infrastructural facilities, fee structure, academic programmes, courses, curricula, availability of faculty and financial resources for setting up and operations of campuses in India, and any other details that may be sought;
- (c) an undertaking to the effect that-

- i. the quality of education imparted by it in its Indian campus is similar to that of the main campus in the country of origin; and
- ii. the qualifications awarded to the students in the Indian campus shall enjoy the same recognition and status as if they were conducted in its home jurisdiction, that is, they shall be recognized in the country of origin of the Foreign Higher Educational Institution and shall be equivalent to the corresponding qualifications awarded by the Foreign Higher Educational Institution in the main campus located in the country of origin.

(d) the latest Accreditation or Quality Assurance report from a recognized Body; and

(e) any other document as specified in the application portal.

(4) The Commission shall constitute a Standing Committee to examine matters related to the setting up and operation of campuses of Foreign Higher Educational Institutions in India.

(5) The Standing Committee shall assess each application on merit, including the credibility of the educational institutions, the programmes to be offered, their potential to strengthen educational opportunities in India, and the proposed academic infrastructure, and make recommendations thereof.

(6) In case the applicant is a Foreign Higher Educational Institution possessing outstanding expertise in a particular area, the Standing Committee shall consider its strengths, outstanding contribution, research

capacities, institutional history, institutional prestige and influence, and professional recognition within the areas, among others.

- (7) The recommendations of the Standing Committee shall be placed before the Commission within a period of sixty days from the date of receipt of the application, complete in all respects.
- (8) Based on the recommendations of the Standing Committee, the Commission may within a period of sixty days, initially grant in-principle approval and issue a Letter of Intent to the Foreign Higher Educational Institution to set up campuses in India within two years from the date of approval.
- (9) The Commission may reserve the right to give an extension, if required, on a case-to-case basis.
- (10) The applicant Foreign Higher Educational Institution shall convey its readiness for the commencement of its academic operations to the Commission and the Standing Committee shall examine the readiness of the campus and give its recommendations.
- (11) The Commission shall consider the recommendations of the Standing Committee and issue approval to the Foreign Higher Educational Institution, within a period of sixty days, for commencing the operation of a campus in India with or without conditions.

5. Admission and fee structure.-(1) The campus of Foreign Higher Educational Institution may evolve its admission process and criteria to admit domestic and international students.

- (2) The Foreign Higher Educational Institution shall decide the fee structure, which shall be transparent and reasonable.
- (3) The Foreign Higher Educational Institution shall make available the prospectus on its website at least sixty days before the commencement of admissions, including fee structure, refund policy, number of seats in a programme, eligibility qualifications, and admission process.
- (4) Based on an evaluation process, the Foreign Higher Educational Institution may provide full or partial merit-based or need-based scholarships from funds such as endowment funds, alumni donations, tuition revenues and other sources.
- (5) The Foreign Higher Educational Institution may give tuition fee concessions to students who are Indian citizens.

6. Appointment of faculty and staff and other related provisions.-(1) The Foreign Higher Educational Institution shall have the autonomy to recruit faculty and staff from India and abroad as per its recruitment norms.

- (2) The Foreign Higher Educational Institution may decide the qualifications, salary structure, and other conditions of service for appointing faculty and staff. However, the Foreign Higher Educational Institution shall ensure that the qualifications of the faculty appointed shall be at par with the main campus in the country of origin.
- (3) The Foreign Higher Educational Institution shall ensure that the international faculty appointed to teach at the Indian campus shall stay in India for at least a semester.

7. General conditions.-(1) The Foreign Higher Educational Institution shall not admit students and collect fees unless duly approved under these regulations to set up its campus in India.

- (2) The Foreign Higher Educational Institution shall ensure that the education shall be imparted in a similar manner in aspects like curricula, pedagogy, assessment and other aspects, as that of the main campus in the country of origin.
- (3) The programme shall not be allowed to be offered in online or in Open and Distance Learning modes. However, lectures in online mode not exceeding ten per cent. of the programme requirements may be allowed.
- (4) The Foreign Higher Educational Institution shall seek prior approval from the Commission before starting any new programme through the University Grants Commission portal.
- (5) The qualifications offered in the campus of the Foreign Higher Educational Institution in India under these regulations shall be awarded under the name and seal of the Foreign Higher Educational Institution in the country of origin.
- (6) The qualifications awarded to the students in the Indian campus shall enjoy the same recognition and status as if they were conducted in its home jurisdiction, that is, they shall be recognised in the country of origin of the Foreign Higher Educational Institution and shall be equivalent to the corresponding qualifications awarded by the Foreign Higher Educational Institution in the main campus located in the

country of origin.

(7) The qualifications awarded under these regulations shall be equivalent to any corresponding degree awarded by the Indian Higher Educational Institution for all purposes, including higher education and employment, with the following stipulations, namely:-

(a) there shall be no further requirement of seeking equivalence from any authority; and

(b) the degree shall have all benefits, rights, and privileges as obtained in the case of a degree awarded by an Indian Higher Educational Institution ordinarily.

(8) The Foreign Higher Educational Institution shall present their adequacy of financial and other resources required for establishing and operating its campus in India.

(9) The Foreign Higher Educational Institution shall have the physical, academic and research infrastructure and facilities required to conduct its academic and research programmes in its campus in India.

(10) The Foreign Higher Educational Institution shall not offer any such programme of study which is contrary to the standards of higher education in India.

(11) The operation of Foreign Higher Educational Institution shall not be contrary to the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency, or morality.

(12) Cross-border movement of funds and maintenance of Foreign Currency Accounts, mode of payments, remittance, repatriation, and sale proceeds, if any, shall be in accordance with the provisions of the Foreign Exchange Management Act, 1999 (42 of 1999) and the rules and regulations made thereunder.

(13) The Foreign Higher Educational Institution shall ensure that in case of receipt or utilization of foreign contribution by any person, compliance of the Foreign Contribution (Regulation) Act, 2010 (42 of 2010) and the rules and regulations made thereunder.

(14) In case a Foreign Higher Educational Institution desires to receive or utilize donations from any foreign sources, it has to obtain prior permission of the Central Government and shall comply with the provisions of Foreign Contribution (Regulation) Act, 2010 (42 of 2010).

(15) The Foreign Higher Educational Institution shall abide by any other conditions specified by the Commission and the Government of India from time to time.

(16) The Foreign Higher Educational Institution shall not act as a representative office of the parent entity to undertake promotional activities for their programmes in their home jurisdiction or any other jurisdiction outside India.

(17) The Foreign Higher Educational Institution may enter into a joint venture with Indian higher educational institutions or Indian company.

(18) However, the Foreign Higher Educational Institution campus in India shall have its independent campus with the physical, academic and research infrastructure and facilities required to conduct its academic and research programmes.

(19) The Foreign Higher Educational Institution shall undergo a quality assurance audit and submit the report to the Commission.

8. Annual report and maintenance of accounts.-(1) The Foreign Higher Educational Institution shall submit to the Commission an annual report, giving details of programmes offered, the number of students admitted and passed out, and qualifications awarded.

(2) The annual report shall be made available on the website of the Foreign Higher Educational Institution or its campus.

(3) The Foreign Higher Educational Institution shall submit an audit report annually to the Commission certifying that the operations of the Foreign Higher Educational Institution in India are in compliance with the Foreign Exchange Management Act, 1999 (42 of 1999) or the Foreign Contribution (Regulation) Act, 2010 (42 of 2010) and the rules and regulations made there under or any other applicable Act or laws or rules or regulations or guidelines and relevant State laws or rules or regulations or policies in this regard.

9. Safeguarding the interest of the students.-(1) The Foreign Higher Educational Institution shall not discontinue any course or programme or close the campus without the prior approval of the Commission.

(2) In the case of a course or programme disruption or discontinuation or closure of the campus, the parent entity shall be responsible for providing an alternative to the affected students, including reallocation to the course or programme.

- (3) The Foreign Higher Educational Institution shall have a mechanism to address students' grievances. In case, the Foreign Higher Educational Institution fails to redress the grievances, the students may appeal to the commission for redressal of their grievances.
- 10. Power to visit.**—The Commission shall have the power to visit the campus and examine its operations to ascertain the infrastructure, academic programmes and overall quality and suitability.
- 11. Prohibition on setting up and operation of campuses of Foreign Higher Educational Institutions in India.**—(1) No Foreign Higher Educational Institution shall set up and operate any campus in India without the prior approval of the Commission.
- (2) No Foreign Higher Educational Institution shall offer any programme in India without the prior approval of the Commission.
- (3) The Commission shall cancel or suspend or withdraw the approval issued to Foreign Higher Educational Institution or take such other action as it may deem fit after recording reasons therefor, at any time in the event of any of the following, namely:—
- (a) the campus of the Foreign Higher Educational Institution fails to adhere to or has violated these regulations;
- (b) its activities or academic programmes are against the interest of India;
- (c) it fails to abide by the undertaking given at the time of application;
- (d) it engages in operation other than the one permitted under these regulations; and
- (e) in case of any adverse finding, misappropriation and suppression of facts.
- 12. Jurisdiction of Courts.**— In case of any dispute with respect to these regulations, courts in India shall have exclusive jurisdiction.
- 13. Interpretation.**—(1) If any question arises regarding the provisions of these regulations the Commission shall decide that question.
- (2) The Commission shall have the power to clarify any doubt, difficulty, or anomaly about implementing these regulations.
- (3) In case of any dispute concerning the interpretation of the provisions of these regulations, it may refer the same for the decision of the Central Government.

Prof. MANISH R. JOSHI, Secy.

[ADVT.-III/4/Exty./535/2023-24]

Internationalization

12.7. The various initiatives mentioned above will also help in having larger numbers of international students studying in India, and provide greater mobility to students in India who may wish to visit, study at, transfer credits to, or carry out research at institutions abroad, and vice versa. Courses and programmes in subjects, such as Indology, Indian languages, AYUSH systems of medicine, yoga, arts, music, history, culture, and modern India, internationally relevant curricula in the sciences, social sciences, and beyond, meaningful opportunities for social engagement, quality residential facilities and on-campus support, etc. will be fostered to attain this goal of global quality standards, attract greater numbers of international students, and achieve the goal of ‘internationalization at home’.

12.8. India will be promoted as a global study destination providing premium education at affordable costs thereby helping to restore its role as a Vishwa Guru. An International Students Office at each HEI hosting foreign students will be set up to coordinate all matters relating to welcoming and supporting students arriving from abroad. Research/teaching collaborations and faculty/student exchanges with high-quality foreign institutions will be facilitated, and relevant mutually beneficial MOUs with foreign countries will be signed. High performing Indian universities will be encouraged to set up campuses in other countries, and similarly, selected universities e.g., those from among the top 100 universities in the world will be facilitated to operate in India. A legislative framework facilitating such entry will be put in place, and such universities will be given special dispensation regarding regulatory, governance, and content norms on par with other autonomous institutions of India. Furthermore, research collaboration and student exchanges between Indian institutions and global institutions will be promoted through special efforts. Credits acquired in foreign universities will be permitted, where appropriate as per the requirements of each HEI, to be counted for the award of a degree.