

Frequently Asked Questions (FAQs)

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

Q1. What is the purpose of UGC (Setting up and Operation of Campuses of Foreign Higher Educational Institutions in India) Regulations, 2023?

A: The Regulations 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. These Regulations outline the conditions and requirements for Foreign Higher Educational Institutions to set up their campuses in India. These Regulations aim to ensure that the education imparted in the campus is at par with that of the main campus in the country of origin and that its operations comply with the applicable laws and Regulations.

Q2. What is the definition of “Campus” under these Regulations?

A: "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.

Q3. What are the eligibility criteria for Foreign Higher Educational Institutions intending to establish campuses in India?

A: Foreign Higher Educational Institutions intending to establish campuses in India should have secured a position within the top 500 in the overall category of global rankings, as decided by the Commission from time to time, or should have secured a position within the top 500 in the subject-wise category of global rankings/ should possess outstanding expertise in a particular area, as decided by the Commission from time to time.

Q4. What types of study programmes are permitted for Foreign Higher Educational Institutions to offer in India, and at what levels?

A: Foreign Higher Educational Institutions can offer study programmes leading to the award of certificates, diplomas, degrees, research and other programmes at the undergraduate, postgraduate, doctoral and post-doctoral levels.

Q5. Can two or more than two Foreign Higher Educational Institutions collaborate to set up campuses in India as a consortium, single entity or cluster?

A: Yes, two or more than two Foreign Higher Educational Institutions can collaborate to set up campuses in India, provided each Foreign Higher Educational Institution meets the eligibility criteria individually.

Q6. Can Foreign Higher Educational Institutions set up multiple campuses in India?

A: Foreign Higher Educational Institutions can set up more than one campus in India. However, they shall make a separate application for each proposed campus to the Commission under the procedure in these Regulations.

Q7. Do Foreign Higher Educational Institutions need to pay any annual fees to the Commission?

A: Foreign Higher Educational Institutions need not pay any annual fees to the Commission other than the one-time application fees.

Q8. Can Foreign Higher Educational Institutions set up campuses in India by sharing their infrastructure/land/physical resources/human resources of an Indian HEI?

A: Foreign Higher Educational Institutions shall set up their campuses using their own infrastructure/land/physical resources/human resources.

Q9. To which authorities in India should Foreign Higher Educational Institutions approach to set up and operate campuses in India?

A: The University Grants Commission (UGC) provides the applicant with a single-window clearance process.

Q10. How can Foreign Higher Educational Institutions apply?

A: Foreign Higher Educational Institutions can make an online application anytime during the year. The link is available on the UGC website. Link: <https://www.ugc.gov.in/>. After fulfilling the eligibility criteria, Foreign Higher Educational Institutions shall submit the documents as prescribed by the Commission.

Q11. What is the procedure for approval for setting up campuses of Foreign Higher Educational Institutions in India?

A: The Standing Committee shall consider the applications and make recommendations thereof. UGC, on the basis of the recommendations, shall initially grant in-principle approval and issue a Letter of Intent (LoI) to the applicant Foreign Higher Educational Institutions. The applicant Foreign Higher Educational Institution may convey its readiness for the commencement of its academic operations to the Commission. The Standing Committee shall examine the readiness of the campus and give its recommendations. The UGC shall, within 45 days, issue a notification permitting the commencement of operations.

Q12. What is the validity of the Letter of Intent?

A: Foreign Higher Educational Institutions are expected to set up campuses in India within two years from the date of issue of LoI. However, the Commission may give an extension, if required, on a case-to-case basis.

Q13. When should Foreign Higher Educational Institutions apply for renewal?

A: The Regulations do not lay down provisions for renewal. However, there are general consequences of violations as laid down in Clause 11(3) of the Regulations.

Q14. How can Foreign Higher Educational Institutions check the status of their application?

A: The details of the proposal and the status of the application shall be available on the Dashboard of the UGC's application portal. Foreign Higher Educational Institutions can log in to their accounts for updates and information about their application using the link: <https://www.ugc.gov.in/>.

Q15. What will be the faculty and staff structure in Foreign Higher Educational Institutions in India?

A: Foreign Higher Educational Institutions in India shall have the autonomy to recruit faculty and staff as per their recruitment norms. They shall have the autonomy to 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.

Q16. Is there any provision for students to receive financial assistance/ aid to study at the campus of Foreign Higher Educational Institutions in India?

A: Foreign Higher Educational Institutions may provide full or partial need-based scholarships and fee concession to Indian students to study at the campuses of Foreign Higher Educational Institutions.

Q17. When can Foreign Higher Educational Institutions admit students and collect fees for their campus in India?

A: Foreign Higher Educational Institutions can admit students and collect fees in India only after a notification has been issued by the UGC permitting them to commence operations in India under these Regulations.

Q18. What is the grievance redressal mechanism to protect the interest of the students?

A: Foreign Higher Educational Institutions shall have a mechanism to address students' grievances. However, the students may appeal to the Commission if the Foreign Higher Educational Institution does not redress their grievances.

Q19. Under these Regulations, can Foreign Higher Educational Institutions offer programmes in online and/or in Open and Distance Learning modes in India?

A: No, programmes cannot be offered in online and/or in Open and Distance Learning modes under these Regulations. However, lectures in online mode not exceeding 10% of the programme requirements are allowed.

Q20. Do Foreign Higher Educational Institutions require prior approval from the Commission before starting any new programme in India?

A: Yes, Foreign Higher Educational Institutions are required to seek prior approval from the Commission before starting any new programme in India.

Q21. Who will award the degree/qualifications?

A: The qualification(s) 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.

Q22. Will the qualifications awarded to the students in the Indian campuses be recognized as equivalent to the corresponding qualifications awarded by the Foreign Higher Educational Institutions in the country of origin?

A: Yes, the qualifications awarded to the students in the Indian campuses shall be recognized and treated as equivalent to the corresponding qualifications awarded by the Foreign Higher Educational Institutions in the main campus located in the country of origin.

Q23. Will the qualifications awarded under these Regulations be equivalent to any corresponding degree awarded by Indian Higher Educational Institutions?

A: Yes, the qualifications awarded under these Regulations shall be equivalent to any corresponding degree awarded by Indian higher educational institutions. There shall be no further requirement of seeking equivalence from any authority. The degree shall have all benefits, rights, and privileges as obtained in the case of a degree awarded by Indian Higher Educational Institutions ordinarily.

Q24. What about the mobility and credit transfers of students from the main campus of FHEI to the FHEI campus in India and vice-versa and between an Indian institution and FHEI campus in India? Will that be permitted?

A: Mobility and credit transfers of students from the main campus of FHEI to the FHEI Campus in India and vice versa, and between an Indian Institution and FHEI Campus and vice versa are permitted.

Q25. Can Foreign Higher Educational Institutions open learning centres, franchises, representative offices or study centres other than the permitted campuses?

A: Foreign Higher Educational Institutions cannot open learning centres, study centres, or franchises that may act as representative offices of the parent entity to undertake promotional activities for their programmes in their home jurisdiction or any other jurisdiction outside India.

Q26. What measures are incorporated in the Regulations to safeguard the interests of students in the event of a closure, disruption of course, or programme offered by Foreign Higher Educational Institutions campuses in India?

A: In the case of a course or programme disruption or discontinuation or closure of the campuses, details of the alternative arrangements to safeguard the interests of the affected students, including reallocation to the course or programme, shall be provided by the Foreign Higher Educational Institutions.

Q27. What happens in case of a dispute with respect to these Regulations?

A: :- In case of any dispute with respect to these regulations, courts in India shall have exclusive jurisdiction.

Q28. What legal entities are allowed to set up campuses in India?

A: The types of legal entities allowed to set up campuses in India shall be as per the Foreign Exchange Management Act (FEMA) 1999/The Foreign Contribution (Regulation) Act (FCRA), 2010, and its Rules and Regulations made thereunder.

For more information, please visit <https://www.rbi.org.in/> or <https://fcraonline.nic.in/home/index.aspx#>.

Q29. Can a campus of a Foreign Higher Educational Institution acquire property for its operation?

A: Matters pertaining to acquiring properties by the campus of the Foreign Higher Educational Institution shall be as per the Foreign Exchange Management Act (FEMA) 1999/ The Foreign Contribution (Regulation) Act (FCRA), 2010, and its Rules and Regulations made thereunder. For more information, please visit <https://www.rbi.org.in/> or <https://fcraonline.nic.in/home/index.aspx#>.

Q30. Are there any restrictions on utilization of foreign contributions under FCRA, while setting up an educational institute in India?

A: In case an FHEI desires to receive or utilize foreign contributions, it has to obtain registration/prior permission under the Foreign Contribution (Regulation) Act, 2010 (FCRA, 2010) and comply with legal requirement of FCRA, 2010. Detailed FAQ on FCRA 2010 may be seen in –https://fcraonline.nic.in/home/PDF_Doc/fc_faq_04102022.pdf

Q31. Can Foreign Higher Educational Institutions collaborate with existing Indian Education Institution or Indian Companies or set up Joint Ventures with them or establish a new Indian Company to set up their campuses in India?

A: Yes. Matters pertaining to collaborations and joint ventures shall be as per the Foreign Exchange Management Act (FEMA) 1999/ The Foreign Contribution (Regulation) Act (FCRA), 2010, and its Rules and Regulations made thereunder. For more information, please visit <https://www.rbi.org.in/> or <https://fcraonline.nic.in/home/index.aspx#>.

Q32. What would be the requirements for Joint Venture between a Foreign Higher Educational Institution and an Indian University/Indian company?

A: In case of a Joint Venture between Foreign Higher Educational Institutions (FHEI) and Indian Universities/Indian company, the following requirements must be met:

1. FHEI must be the applicant under the regulations.
2. The FHEI must hold majority ownership/ equity in the Joint venture which sets up the FHEI.
3. The degrees/ diploma/ certificate/ doctorates/ Post- doctoral degrees must be awarded in the name of the FHEI and should be at par with the degree / diploma/ certificate/ doctorates/ Post- doctoral issued in the home country of FHEI.
4. The foreign higher educational institution campus in India should have its independent campus with the physical, academic and research infrastructure and facilities required to conduct its academic and research programmes.
