

# “AN OVERVIEW OF HIGHER EDUCATION: IN CONTEXT OF LEGISLATIVE & INSTITUTIONAL REGULATIONS”

*Maheshwari S.Naik*  
*Lecturer*  
*Dept. of Kannada*  
*Govt. First Grade College Karwar*

&

*B.S. NAIK*  
*Lecturer*  
*Dept. of Economics*  
*B.G.V.S s Arts & Commerce College Sadashivgad*

## **Abstract**

Higher education comprises all post-secondary education, training and research guidance at education institutions such as universities that are authorized as institutions of higher education by state authorities. It includes all the activities a given country deems to be higher education – not only those that take place within ordinary universities and graduate schools, but shorter term education and training courses (polytechnics, junior colleges, and various forms of technical specialty schools) that are 2-3 years in length, and even correspondence courses that make use of information technology and are targeted at abroad population of students. This paper highlights the legislative and institutional regulations’ link to higher education in India. The paper also examines the higher education scenario in India.

**Keywords:** Higher Education, Institutional regulations, opportunities.

## **Introduction**

India's higher education system is the world's third largest in terms of students, next to China and the United States. In future, India will be one of the largest education hubs. India's Higher Education sector has witnessed a tremendous increase in the number of Universities/University level Institutions & Colleges since independence. The ‘Right to Education Act’ which stipulates compulsory and free education to all children within the age groups of 6-14 years, has brought about a revolution in the education system of the country with statistics revealing a staggering enrolment in schools over the last four years. Today over 60% of higher education institutions in India are promoted by the private sector. This has accelerated establishment of institutes which have originated over the last decade making India home to the largest number of Higher Education institutions in the world, with student enrolments at the second highest. The number of Universities has increased 34 times from 20 in 1950 to 677 in 2014. Despite these numbers, international education rating agencies have not placed many of these institutions within the best of the world ranking.

## Objectives

1. To study the Institutional regulations in higher education
2. To understand the status of higher education in India
3. To study the opportunities for higher education
4. To suggest for improvement in graduate education

## Higher Education in India

Higher education in India is provided by five groups of institutions: Central, state, private, deemed universities and Institutions of National Importance. There are 52 such institutions. They predominantly consist of the Indian Institutes of Technology, National Institutes of Technology and prominent medical colleges, including the All India Institute of Medical Science. There are 43 central universities, 312 state universities, 183 private universities and 115 deemed universities in India as listed by the University Grants Commission (UGC), the apex regulatory body for higher education. All the above university groups are legally entitled to grant degrees. State universities are the only institutions that are allowed to affiliate private as well as public colleges under them. However, these colleges are allowed to operate only within the individual federal state borders. Private colleges offering professional courses, which match specific needs of a sector or industry, are often affiliated to state universities. It is difficult to estimate the total number of colleges in various federal states. However, affiliated colleges which are provided grants by the UGC are listed on its website. These colleges are called 2f and 12 b colleges. According to the latest figures, there are approximately 9,195 such affiliated colleges in India supported by the UGC. The federal states of Uttar Pradesh and Maharashtra have the maximum number of affiliated colleges numbering 1,677 and 1,185 respectively. Karnataka (766), Chhattisgarh (488), Gujarat (486), Tamil Nadu (468), and West Bengal (433) too have large number of affiliated colleges under their federal state universities. While private universities do not have affiliated colleges, these universities also offer professional as well as regular courses in it.

## LEGISLATIVE AND INSTITUTIONAL REGULATIONS IN HIGHER EDUCATION

Education is in the concurrent list, where federal states and the central government share responsibilities. Until recently, legislations in higher education prohibited profit making in the sector. Higher education was defined as a not for profit sector. Private investments were to be made by sponsoring bodies that had to be a "Society registered under the Societies Registration Act 1860, or any other corresponding law for the time being in force in a state, or a public trust or a company registered under Section 25 of the Companies Act, 1956. The State provided for tax exemptions for donations made to this sector. It was only during the Twelfth Five Year Plan in India (2012-2017) that the state considered reevaluating this status of higher education in India. However, until recently there has been no clarity on how this suggestion would be implemented. A 100 per cent Foreign Direct Investment (FDI) is promoted in higher education through the automatic route which requires no prior approval from the state. However, the regulatory environment prescribes several conditions for foreign universities including fixing of fees, or the need of foreign institutions to affiliate with an Indian counterpart,

which has dissuaded investments. The nodal ministry for education in India is the Ministry of Human Resource Development (MHRD). The MHRD has a Department of Higher education which is the apex department “for the overall development of the basic infrastructure of Higher Education sector”. The University Grants Commission (UGC) under the Department of Higher Education in the MHRD acts as the coordinator as well as prescriber of standards for education in the country. UGC, established by an Act of parliament in 1956, is a statutory body of the Government of India. UGC has its head office in New Delhi and six regional centers (Pune, Hyderabad, Kolkata, Bhopal, Guwahati and Bengaluru) to cater to various regions in the country and it has the following mandates:

- Framing regulations on minimum standards of education.
- Promoting and coordinating university education.
- Determining and maintaining standards of teaching, examination and research in universities.
- Monitoring developments in the field of collegiate and university education; disbursing grants to universities and colleges.
- Serving as a vital link between the Union and state governments and institutions of higher learning
- Advising the central and state governments on the measures necessary for improvement of university education.

This mandate makes the UGC a major regulator of higher education in India. However, the regulatory environment is not limited to the UGC alone. All India Council for Technical Education (AICTE), Department of Electronics Accreditation of Computer Courses (DOEACC), Distance Education Council (DEC), Indian Council for Agricultural Research (ICAR), Bar Council of India (BCI), National Council for Teacher Education (NCTE), Rehabilitation Council of India, Medical Council of India, Pharmacy Council of India (PCI) Indian Nursing Council (INC), Dentist Council of India (DCI), Central Council of Homeopathy (CCH), Central Council of Indian Medicine, Council for Architecture, National Council for Rural Institute, and State Councils for Higher Education together decide the quality of higher educational institutions in India. Despite this regulatory environment, the Indian judiciary has been constantly involved in defining private investments in higher education indicating the inadequacy of the present regulatory system.

### **Accreditation:**

Several autonomous bodies function to grant accreditation. Foremost among them are the National Assessment and Accreditation Council (NAAC), and the National Board of Accreditation (NBA). Accreditation of higher educational institutions was made mandatory under UGC (Mandatory Assessment and Accreditation of higher Educational Institutions) Regulations, 2012. The institutions are accredited for a period of five years and this status was tied to the funds which they would receive from the UGC. Accreditations are also made mandatory for any higher educational institutions to receive the title of a university. There is an increasing requirement to expand accrediting institutions to keep pace with the growing number of higher educational institutions. The NAAC was established to operate under the UGC in 1994 to maintain the quality of higher

educational institutions in India. For technical education under the AICTE, the NBA was established during the same year. The major problem which stymied the functioning of these institutions providing accreditation were their dependence and existence as appendages to the regulators Centre for Public Policy Research Understanding the Status of Higher Education in India(UGC and AICTE). The situation continued for nearly a decade before the NBA separated and became independent from the AICTE. However, NAAC has until very recently remained part of the UGC. The process of separation is currently being decided.

### **Opportunities in Higher Education**

India is a large country, with an estimated population of young people aged between 18 to 23 years to be around 150 millions. The sheer size of the market offers huge opportunities for development of the higher education sector in India. India now boasts of having more than 33,000 colleges and 659 universities, which has been quite a remarkable growth during the last six decades. The year 2012 witnessed 21.4 million enrollments, which makes India the 3rd largest educational system in the world. Unfortunately, the educational infrastructure of India is inadequate to handle such huge volumes. In spite all the government spending in the educational sector, it is just too insufficient to meet the growing requirements. Therefore, higher Education sector has now been identified as one of the promising areas for private and foreign investments. It offers immense investment opportunities in both non-regulated and regulated segments.

Indian higher education system is growing very fast irrespective of various challenges but there is no reason that these Challenges cannot be overcome. With the help of new-age learning tools, it is easy for country like India to overcome these problems and bring a paradigm shift in the country's higher education sector. With such a vibrant country with huge population properly educated, the possibilities are endless. If knowledge is imparted using advanced digital teaching and learning tools, and society is made aware of where we are currently lagging behind, our country can easily emerge as one of the most developed nations in the world.

There are opportunities for strategic engagement and capacity building in higher education leadership and management at the state level. There are opportunities for India to collaboration at national and international level on areas of systemic reform, including quality assurance, international credit recognition, and unified national qualifications framework. Equality of educational opportunity in higher education is considered essential because higher education is a powerful tool for reducing or eliminating income and wealth disparities.

The idea of equalizing educational opportunities also lies in the fact that the ability to profit by higher education is spread among all classes of people. There are great reserves of untapped ability in the society; if offered the chance they can rise to the top. A great deal of talent of the highest level is, in fact, lost by an egalitarian system of education. The need to enhance the employability of graduates is presenting entry points for collaboration in enterprise education and entrepreneurship, links with industry, research skills and the wide range of transferable skills, including English. The emerging interest in Indian higher education institutions in the vocational skills market provides areas for potential engagement with international partners. There is a need to build stronger relationships and increase mutual understanding in higher education by increasing support and

participation in platforms (conferences, workshops, seminars) which enable debate and dialogue with other countries of the world.

### **Suggestions:**

- ❖ Higher educational institutes need to improve quality and reputation.
- ❖ There is a need to implement innovative and transformational approach from primary to higher education level to make Indian educational system globally more relevant and competitive.
- ❖ Government must promote collaboration between Indian higher education institutes and top International institutes and also generates linkage between national research laboratories and research centers of top institutions for better quality and collaborative research.
- ❖ There should be a good infrastructure of colleges and universities which may attract the students.
- ❖ Universities and colleges in both public private must be away from the political affiliations
- ❖ There should be a multidisciplinary approach in higher education so that students knowledge may not be restricted only up to his own subjects.
- ❖ There is a need to focus on the graduate students by providing them such courses in which they can achieve excellence, gain deeper knowledge of subject so that they will get jobs after recruitment in the companies which would reduce unnecessary rush to the higher education.

### **Conclusion:**

Higher education in India is an extraordinarily important part of modern Indian society and it is intertwined in the political and social systems of the society. Opportunities are available but how to get benefits from these opportunities and how to make them accessible to others is the matter of concern. In order to sustain that rate of growth, there is need to increase the number of institutes and also the quality of higher education in India.

### **References:**

1. Higher Education in India: Twelfth Five Year Plan (2012-17) and beyond FICCI Higher Education Summit 2012.
2. Younis Ahmad Sheikh Higher Education in India: Challenges and Opportunities - Journal of Education and Practice ISSN 2222-1735 (Paper) ISSN 2222-288X (Online) Vol.8, No.1, 2017
3. Nand kishor Soni & Teerath Prasad Patel "Quality Teaching & Higher Education System in India" international Journal of Scientific and Research Publications, Volume 4, Issue 1, January 2014 ISSN 2250-3153
4. <https://www.cppr.in/wp-content/uploads/2015/01/Higher-Education.pdf>