

Draft University Grants Commission (Recognition and Grant of Equivalence to Qualifications obtained from Foreign Educational Institutions) Regulations, 2023

Preamble

In the wake of India's renewed thrust on academic collaboration with foreign countries and in the context of the National Education Policy (NEP), 2020, UGC's role in the internationalization of the Indian education system has increased manifold. As a background, UGC notified the Guidelines for Internationalization of Education in July 2021. The Guidelines enumerate a wide array of activities such as internationally relevant curricula, the brand building of Indian Educational Institutions abroad, academic and research collaboration with foreign universities, credit recognition under twinning arrangements, a global citizenship approach, and engaging with foreign alumni. UGC has also notified regulations on Academic Collaboration between Indian and Foreign Higher Educational Institutions to offer Twinning, Joint Degree, and Dual Degree Programmes. UGC is also evolving the National Higher Education Qualifications Framework (NHEQF) which will be an instrument for the classification and recognition of qualifications according to a set of criteria for specified levels of learning achieved. It is expected that the mobility of students will be greatly enhanced as a result of these reform measures. In order to facilitate the mobility of students in a seamless manner, it is necessary to have a robust and transparent mechanism for recognizing foreign qualifications and granting equivalence to such qualifications.

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

1. Short Title, Application, and Commencement:

- 1.1. These Regulations shall be called the University Grants Commission (Recognition and Grant of Equivalence to Qualifications obtained from Foreign Educational Institutions) Regulations, 2023 (hereafter, referred to as Regulations).
- 1.2. These Regulations lay down the conditions and procedure for recognition and grant of equivalence by the University Grants Commission to qualifications obtained from foreign educational institutions, other than the qualifications awarded under the provisions of any collaborative arrangements with the Government of India or University Grants Commission and degrees which come under the purview of University Grants Commission (Academic Collaboration between Indian and Foreign Higher Educational Institutions to offer Twinning, Joint Degree and Dual Degree Programmes) Regulations, 2022.
- 1.3. These Regulations shall not apply to qualifications obtained through online and distance education modes and professional qualifications awarded by foreign educational institutions in disciplines like Medicine, Pharmacy, Nursing, Law, and Architecture, which are regulated by the norms of respective Statutory Councils in India.
- 1.4. These Regulations shall come into force on the date of their publication in the Gazette of India.

2. Definitions:

- 2.1. “Act” means the University Grants Commission Act, 1956 as amended from time to time;
- 2.2. “Commission” means the University Grants Commission established under Section 4 of the Act;
- 2.3. “Fee” means the application processing fee, payable by the students while applying for an Equivalence Certificate.
- 2.4. “Foreign University” means a University, duly recognised and established or incorporated in any legal manner (such as Trust/ Society/ Company/ Statutory/ other legal forms) in a foreign country and is duly authorized to offer academic and research

programmes at the undergraduate or higher levels, within and outside its home jurisdiction;

- 2.5. “Foreign Educational Institution” shall mean an educational institution duly recognized and established or incorporated in any legal manner (such as Trust/ Society/ Company/ Statutory/ other legal forms) in a foreign country not covered under Clause 2.5, but is duly authorized to offer academic and research programmes at the undergraduate or higher levels, within and outside its home jurisdiction;
- 2.7. “Foreign Higher Educational Institutions” shall include both Foreign Universities and Foreign Educational Institutions as defined in 2.5 and 2.6;
- 2.6. “School” means a school, duly recognized and established or incorporated by any legal manner in a foreign country to impart school education;
- 2.7. “Board” means a Board or a Body duly authorized/recognized and established to direct and administer the primary and secondary schools in a town, city, county, or state of the Foreign Country.
- 2.8. “Qualifications” means ‘awards’ such as a certificate, diploma, or degree awarded by a competent authority such as a Board/ university in recognition of the attainment by students of the expected learning outcomes on the successful completion of a particular programme of study.
- 2.9. “Standing Committee” shall mean a committee of experts constituted by the Commission to examine equivalence on case to case basis.
- 2.10. “Appellate Committee” shall mean a committee of experts constituted by the commission to examine the appeals.
- 2.11. “Franchising” for the purpose of these regulations, means and includes the practice of allowing any person or institution, or organization, other than the Foreign Higher Educational Institution recognized under these regulations, to award degrees, and the terms “franchise” and “franchisee” shall be construed accordingly.
- 2.12. “Statutory Council” means a body established or incorporated under a Central Act to

regulate standards of general and professional programme(s) of study and award of degrees in its area of concern.

- 2.13. “Equivalence Certificate” means a document certifying the parity of a qualification in terms of level between a foreign qualification and the qualification awarded at that level by the Indian Board/Universities;

3. Conditions for recognition and grant of equivalence to qualifications obtained from foreign educational institutions:

3.1. Qualification obtained from a foreign higher educational institution shall be recognized and granted equivalence provided:

3.1.1 The qualification has been awarded by a foreign higher education institution that is duly recognized in its home country.

3.1.2 The student has pursued the programme through regular, in-person instruction (and not through online or distance learning).

3.1.3 The entry-level requirements for admission to the programme are similar to that of a corresponding programme in India. “Similarity” of entry criteria is to be determined through due process by the Standing Committee set up for the purpose (details below), based on the following considerations:

3.1.3.1 Similarity of minimum duration of the program in India and the foreign country;

3.1.3.2 Minimum credit requirements

3.1.3.3 Credits in different categories of courses may be examined and similarity established (such as basic background courses, disciplinary core courses, disciplinary elective courses, cross-disciplinary courses, laboratory courses, etc.), *so that the equivalence also reflects the similarity in “flavour” of the offerings in India and abroad;*

3.1.3.4 Evaluation processes and similarity thereof should be established,

including for evaluation of thesis/dissertation component;

- 3.1.3.5 Whether the program requires a thesis/ project/ internship/ other hands-on or experiential learning in India, and whether that is also followed in the foreign program
- 3.1.4 Minimum duration of the programme is similar to that of a corresponding programme in India. In such a case of any variation in the duration, the minimum credit requirement for earning the qualification shall be at par with that of a corresponding programme in India. In considering this, the Commission will examine and grant equivalence to the definition of credit (number of contact hours per week, number of self-study hours, the quantum of experiential learning, etc.) first, before the equivalence between the programmes is established. Up to 10% variation of total normalized credit requirements may be given equivalence
- 3.1.5 UGC shall maintain a resource of what may be considered the “minimum curricular requirements” of any program, as per standards established in India. The equivalence accorded to a foreign degree may be given when the curriculum of the degree under question is established to be similar in curricular content (and not just duration, credit hours, or the number of credits). The minimum curricular content may be established by due consideration to basic background courses, disciplinary core courses, disciplinary elective courses, cross-disciplinary courses, laboratory courses, etc., that make up the curriculum of the qualification.
- 3.1.6 Qualification obtained in the offshore campus of an Indian higher educational institution shall be recognized provided the campus is duly approved by the competent authorities in India as well as in the foreign country where the campus is located. The campus’s academic programs must also satisfy the accreditation requirements in the foreign country in which the offshore campus is located.

- 3.1.7 Qualification obtained in the offshore campus of a foreign higher educational institution shall be recognized provided the campus is duly approved by the competent authorities in India as well as in the country of origin. The academic programmes of the campus must also satisfy the accreditation requirements in the country where the offshore campus is located, as well as any such requirements in the country of origin.
- 3.1.8 Qualification obtained through a franchise arrangement shall not be considered for recognition and grant of equivalence.
- 3.1.9 International rankings may be kept in perspective while consideration for equivalence.
- 3.1.10 Any other conditions, as decided by the Commission from time to time.

3.2 Qualifications obtained at the school level from schools affiliated to foreign boards/offering a foreign system of education in foreign countries shall be recognized and granted equivalence provided that:

- 3.2.1 The school education has been pursued through regular mode only;
- 3.2.2 A minimum of 12 years of regular schooling has been prescribed by the concerned foreign system of education;
- 3.2.3 The school from which the applicant has pursued his/her education should be affiliated with a Board that has been approved/recognized in the concerned foreign country;
- 3.2.4 The school leaving certificate of the applicant should be issued by the Board that has been approved/ recognized/ accredited in the foreign country concerned;

4. Procedure for granting equivalence

- 4.1. University Grants Commission shall maintain a dedicated online portal to receive applications for the grant of equivalence to qualifications obtained from foreign educational institutions.
- 4.2. The applicant shall submit an online application along with the fee, as prescribed by the

Commission from time to time.

- 4.3. In case the required documents are in a language(s) other than English, the applicant must submit a transcript in English, duly authenticated by the degree awarding institution
- 4.4. The decision of the Commission shall be communicated to the applicant within 15 days from the date of receipt of the application. In case of approval, an Equivalence Certificate shall be uploaded on the portal.
- 4.5. Only in cases that need special consideration of the Commission, and in case the Commission requires more information or additional documents, the applicant shall have to furnish the relevant document to the satisfaction of the Commission within a stipulated period of 15 days.
- 4.6. If the applicant is not satisfied with the decision of the Commission, she/he can file for an Appeal, for a review within 30 days from the date of communication received from the Commission by paying the prescribed fees
- 4.7. The Appeal shall be placed before an Appellate Committee and the decision of the Committee shall be communicated to the applicant within 15 days from the date of receipt of the review application.

5. Miscellaneous

- 5.1. Equivalence certificate issued by the Commission will be accepted by the Universities in India for the purposes of admission or employment.
- 5.2. The scope of these regulations is not to determine the disciplinary parity between different qualifications and/or suitability or adequacy of qualification for eligibility for admission to any study programme or for employment.
- 5.3. Any Indian student, who has obtained qualification/s from a foreign higher educational institution under a collaborative arrangement in the form of a Memorandum of Understanding (MoU) or an Agreement between the Government of India or University Grants Commission and the Government of a foreign country where the qualification awarding institution is

located, need not have to apply for the grant of equivalence., however, if the student in such a program requires or requests an Equivalence Certificate, the Commission may consider issuing such a Certificate on a case-to-case basis.

5.4. Any Indian student, who has obtained qualification/s from a foreign higher educational institution under the provisions of the University Grants Commission (Academic Collaboration between Indian and Foreign Higher Educational Institutions to offer Twinning, Joint Degree and Dual Degree Programmes) Regulations, 2022 or any other regulations the issued in this regard by UGC from time to time, need not have to apply for the grant of equivalence. However, if the student in such a program requires or requests an Equivalence Certificate, the Commission may consider issuing such a Certificate on a case-to-case basis.

5.5. Equivalence certificate shall also not be issued in case the applicant has completed his/her education through Home Studies/ Private Candidate.

5.6. The Commission shall have the power to withdraw an Equivalence Certificate issued to a student or take any other consequential action if it is proved at any stage that the student has furnished false information or documents for obtaining the Equivalence Certificate.

6. Interpretation:

6.1 Any question as to the interpretation of these Regulations shall be decided by the Commission and its decision shall be final and binding in the matter.

6.2 The Commission shall have the power to issue clarifications, to remove any doubt, difficulty, or anomaly which may arise while implementing these Regulations.

6.3 An underlying consideration that needs to be emphasized is that merely the award of equivalence is not necessarily sufficient to meet eligibility requirements for specific courses at different Indian institutions/Universities. Institutions/Universities are free to set separate eligibility conditions that are over and above equivalence requirements.