

# Education Sector Hotline

March 30, 2020

## ONLINE HIGHER EDUCATION: TIME FOR DE-REGULATION IS NOW!

For years, India has shied away from unleashing the full power of formal online higher education. While certification courses can be offered online, online degrees and diplomas offered by colleges and universities continue to suffer from regulatory constraints.

The first major step towards recognizing online education was taken in 2018, when University Grants Commission (UGC) introduced regulations allowing certain category of higher education institutions to offer their offline programmes, online, with UGC's approval. Sadly, 2 years later, very few institutions have the approval to offer online programmes under these regulations<sup>1</sup>. The UGC regulations also require that higher education institutions should offer online courses through SWAYAM platform. Any other platform can be used only with the approval of the UGC.

AICTE (All India Council For Technical Education) has no regulations for online degree and diploma programmes as yet. Lack of regulation also creates confusion with respect to what is or is not allowed online.

There are also institutes of eminence, which can provide courses online. However, even these institutes are handful in number and can offer only part of their course online, i.e. subject to limit of 20% of any programme.

Therefore, the looming question before us is: Are these few institutes sufficient for continuity of higher education in a country of 1.3 billion?

No doubt, government is doing its bit. UGC released a list of ICT initiatives of MHRD & UGC for teaching and learning, which provides a repository of study material to students<sup>2</sup>. This is good from a short-term perspective. However, all crisis brings opportunity. This is a big one, staring at us in the face. The government should urgently reconsider its approach towards online higher education.

Some suggestions:

- Too many cooks spoil the broth. Instead of vesting all powers with the UGC, AICTE or any other regulatory body, all universities should be authorized to permit affiliated colleges and institutes to offer programs online. Where required, professional bodies such as Bar Council of India, National Medical Commission etc. can be consulted by universities prior to giving permissions to offer courses online.
- There should be no obligation on higher education institutions to use SWAYAM platform. Instead of creating a bottleneck by mandating approvals from regulator for use of other platforms, higher education institutions should be allowed to use a platform of choice. In the wake of a pandemic, many well-known online platforms are aiding universities and colleges all over the world to take their programmes online. Platform freedom will reduce the burden on SWAYAM and will encourage more homegrown platforms.
- Role of the government should change from being a regulator to that of a facilitator. Government should set qualifying criteria for institutes, provide guidelines for universities to decide what kind of courses can be offered online and the standards of education to be maintained, review functioning of the online programmes including completion rate and job statistics, seek performance based reports, but leave everything else to the universities.

It is well known that online degrees and diplomas have been successfully offered by many renowned universities across the globe. Progressive countries have permitted these online programs with limited regulation. India needs to quickly do this. While our students are keen to join such courses, these online degrees don't get recognized in India because they haven't been obtained while completing the programme at a "campus". This is too old school.

When the world is coming together to fight a pandemic, and the only way of staying connected is online, regulatory and territorial barriers should not stand in the way of education. Freedom to collaborate and choose is paramount. Due credit should be given to such online programmes, at least to the ones offered by renowned institutes. A list of such institutes, Indian and international, can be released by government for such purposes.

Given the projected global economic impact of this pandemic, online education can drastically reduce burden on students and education systems. Those countries that have unshackled their online education systems will realize just how beneficial it is, especially in such desperate times. Even though a pandemic may be a temporary situation, its time India learns its lesson and leapfrog to deregulate online higher education.

— Aarushi Jain & Vivek Kathalia

You can direct your queries or comments to the authors

<sup>1</sup> [https://www.ugc.ac.in/pdfnews/6838376\\_9964222\\_HEI-recognition-2019-as-30-01-2020.pdf](https://www.ugc.ac.in/pdfnews/6838376_9964222_HEI-recognition-2019-as-30-01-2020.pdf)

<sup>2</sup> [https://www.ugc.ac.in/pdfnews/1573010\\_On-Line-Learning—ICT-initiatives-of-MHRD-and-UGC.pdf](https://www.ugc.ac.in/pdfnews/1573010_On-Line-Learning—ICT-initiatives-of-MHRD-and-UGC.pdf)

## Research Papers

### Horizon Technologies

January 21, 2025

### Compendium of Research Papers

January 11, 2025

### FAQs on Setting Up of Offices in India

December 13, 2024

## Research Articles

### INDIA 2025: The Emerging Powerhouse for Private Equity and M&A Deals

January 15, 2025

### Key changes to Model Concession Agreements in the Road Sector

January 03, 2025

### The Revolution Realized: Bitcoin's Triumph

December 05, 2024

## Audio

### Securities Market Regulator's Continued Quest Against "Unfiltered" Financial Advice

December 18, 2024

### Digital Lending - Part 1 - What's New with NBFC P2Ps

November 19, 2024

### Renewable Roadmap: Budget 2024 and Beyond - Part I

August 26, 2024

## NDA Connect

Connect with us at events, conferences and seminars.

## NDA Hotline

Click here to view Hotline archives.

## Video

### "Investment return is not enough" Nishith Desai with Nikunj Dalmia (ET Now) at FI18 event in Riyadh

October 31, 2024

### Analysing SEBI's Consultation Paper

DISCLAIMER

The contents of this hotline should not be construed as legal opinion. View detailed disclaimer.

This Hotline provides general information existing at the time of preparation. The Hotline is intended as a news update and Nishith Desai Associates neither assumes nor accepts any responsibility for any loss arising to any person acting or refraining from acting as a result of any material contained in this Hotline. It is recommended that professional advice be taken based on the specific facts and circumstances. This Hotline does not substitute the need to refer to the original pronouncements.

This is not a Spam mail. You have received this mail because you have either requested for it or someone must have suggested your name. Since India has no anti-spamming law, we refer to the US directive, which states that a mail cannot be considered Spam if it contains the sender's contact information, which this mail does. In case this mail doesn't concern you, please unsubscribe from mailing list.

on Simplification of registration for  
FPIs

September 26, 2024

Scope of judicial interference and  
inquiry in an application for  
appointment of arbitrator under the  
(Indian) Arbitration and Conciliation  
Act, 1996

September 22, 2024