

# Education Sector Hotline

November 10, 2020

## THE CAMPUS IN CAMPUS MODEL FOR FOREIGN UNIVERSITIES

The recently released National Education Policy announced India's plan of allowing top 100 universities of the world to open campus in the country. News is rife that work to draft this law will commence soon.

While this is great feat for India, the regulators should consider all aspects relating to higher education reforms, including what it takes to set up a campus in a foreign country, the various models etc. before enacting the proposed law.

It is important to recognize that majority of the universities featuring in the top 100 list may not actually need to set up a campus in India. A prominent example is Oxford University which has only one campus, in Oxford!

Similarly, there could be several others in the top 100 universities list who won't set up campus outside their home jurisdiction or in India. This could be because of several factors, such as (a) the charter or constituent documents of the universities may not allow them to do so, or (b) as a strategy, the foreign university may not want to open a campus in another country to preserve their exclusivity and quality.

Considering all this, foreign universities may still prefer a collaboration approach with an established Indian university. This has been done globally and can be easily replicated in India, especially if the legal and regulatory framework is sound.

In fact, assuming the new regulations will provide for standard protocols such as requirement to set up a local not-for profit structure in India, provisioning for minimum campus space and infrastructure, funding and corpus requirements for continuity, together with possible applicability of reservations and fee regulation laws, at least the top universities of the world may not be willing to take the plunge on their own. Practically, from a foreign university's point of view, trying to identify the correct land parcel to set up a campus in India, liaising with regulators for permissions, etc could itself be an overwhelming task. Maybe some of the Asian universities who are closer home to India, or some of the top 500 universities may think of a stand-alone campus in the country.

A model worth considering is what we call "a campus in campus model". Like the name suggests, this will give foreign universities an option to formally tie up with an Indian university and open a campus within the campus in India. This solves several of the issues discussed above. For starters, top 100 foreign universities will obviously tie-up with established and reputed universities in India. Their trust in a reputed Indian university will give them comfort from quality and brand protection perspective. It will also ease their fears of compliance as they will have a reliable Indian partner to support and guide. Secondly, the campus in campus model will allow them to use a part of the premise of an Indian university, without the requirement to look for a land or construct a campus. This saves a lot of hassle. Thirdly, both the Indian and foreign university staff and students will find a common ground to interact, resulting in creation of a globalized learning environment. The co-branding of the campus or part of the campus with the name of Indian and Foreign University will also mutually benefit the brands of both the universities in the country. There could be several other benefits as well. Needless to say, this is an option in addition to the permission to set up a campus independently in India.

A campus in campus model has worked well in other countries. Some examples from closer home are Yale-NUS College and Duke-NUS Medical School in Singapore. Regulators can see the functioning of this model in Singapore, and replicate it in India.

It's time for India to innovate and think of such new-age models to realise the vision of becoming a global education hub.

— Aarushi Jain & Vivek Kathpalia

You can direct your queries or comments to the authors

## 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

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.

## Research Papers

### Littleler International Guide (India) 2024

November 08, 2024

### Unmasking Deepfakes

October 25, 2024

### Are we ready for Designer Babies

October 24, 2024

## Research Articles

### The Bitcoin Effect

November 14, 2024

### Acquirers Beware: Indian Merger Control Regime Revamped!

September 15, 2024

### Navigating the Boom: Rise of M&A in Healthcare

August 23, 2024

## Audio

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

November 19, 2024

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

August 26, 2024

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

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 on Simplification of registration for FPIs

September 26, 2024

not substitute the need to refer to the original pronouncements.

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

September 22, 2024