

**Press Information Bureau
Government of India**

Government approves draft Act for setting up of Higher Education Commission of India by repealing UGC Act

Union HRD Minister appeals to all educationists, stakeholders and general public to furnish comments and suggestions on the draft act

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New Delhi**

In a landmark decision, a **Higher Education Commission of India (Repeal of University Grants Commission Act) Bill 2018** which seeks to repeal UGC Act and provides for setting up of **Higher Education Commission of India** has been prepared by the Ministry of HRD and placed in public domain for comments and suggestions. The focus of Higher Education Commission of India will be on improving academic standards and the quality of Higher Education.

The Union Minister for Human Resource Development, Shri Prakash Javadekar has appealed to all educationists, stakeholders and general public to furnish comments and suggestions **by 7th July 2018 till 5 p.m.** on the draft Bill. The comments may be mailed to reformofugc@gmail.com.

The Central Government, under the leadership of Prime Minister Shri Narendra Modi has embarked on a process of reform of the regulatory agencies for better administration of the higher education sector. In fulfilment of the above, several reform measures have already been launched viz, reform of NAAC, Regulation for grant of Graded Autonomy to Universities, granting of Autonomous status to colleges, the Regulation for Open Distance Learning, Regulation for Online degrees etc.

The draft Act is in accordance with the commitment of Government for reforming the regulatory systems that provide for more autonomy and facilitate holistic growth of the education system which provides greater opportunities to the Indian students at more affordable cost. The transformation of the regulatory set up is guided by the following principles:

1. Less Government and more Governance:

Downsizing the scope of the Regulator. No more interference in the management issues of the educational institutions.

2. Separation of grant functions:

The grant functions would be carried out by the HRD Ministry, and the HECI would focus only on academic matters.

3. End of Inspection Raj:

Regulation is done through transparent public disclosures, merit-based decision making on matters regarding standards and quality in higher education.

4. Focus on academic quality:

HECI is tasked with the mandate of improving academic standards with specific focus on learning outcomes, evaluation of academic performance by institutions, mentoring of institutions, training of teachers, promote use of educational technology etc. It will develop norms for setting standards for opening and closure of institutions, provide for greater flexibility and autonomy to institutions, lay standards for appointments to critical leadership positions at the institutional level irrespective of University started under any Law (including State Law).

5. Powers to enforce :

The Regulator will have powers to enforce compliance to the academic quality standards and will have the power to order closure of sub-standard and bogus institutions. Non-compliance could result in fines or jail sentence.

Highlights of the Higher Education Commission of India (Repeal of University Grants Commission Act) Bill 2018

1. The focus of the Commission will be on improving academic standards and quality of higher education, specifying norms for learning outcomes, lay down standards of teaching/research etc.
2. It will provide a roadmap for mentoring of institutions found failing in maintaining the required academic standards.
3. It shall have the power to enforce its decisions through legal provisions in the Act,
4. The Commission shall have the power to grant authorization for starting of academic operations on the basis of their compliance with norms of academic quality.
5. It will also have the powers to revoke authorization granting to a higher education institution where there is a case of wilful or continuous default in compliance with the norms / regulations.
6. It will also have the power to recommend closure of institutions which fail to adhere to minimum standards without affecting students' interest.
7. The Commission will encourage higher education institutions to formulate a Code of Good Practices covering promotion of research, teaching and learning.

8. The constitution of the Commission is strengthened by the cooption of Chairpersons of regulatory bodies in higher education, namely the AICTE and the NCTE. Moreover the Chairpersons/Vice-Chairpersons and members will be scholars of eminence and standing in the field of academics and research, possessing leadership qualities, proven capacities for institution building and deep understanding of issues of higher education policy and practice.
9. The Bill also provides for the penal provisions, which albeit graded in nature, will cover withdrawal of power to grant degrees/ diplomas or direction to cease academic operations and in cases of wilful non-compliance, may result in prosecution sanction as per the Criminal Procedure Code with a punishment of imprisonment for a term which may extend up to 3 years.
10. There will be an Advisory Council to render advice to the Commission on matters concerning coordination and determination of standards in the country. This will be represented by the Chairpersons / Vice-Chairpersons of State Councils for Higher Education and chaired by the Union Minister for HRD.
11. The Commission will also specify norms and processes for fixing of fee chargeable by higher education institutions and advise the Central Government or the State Governments, as the case may be, regarding steps to be taken for making education affordable to all.
12. The Commission will monitor, through a national data base, all matters covering the development of emerging fields of knowledge and balanced growth of higher education institutions in all spheres and specially in promotion of academic quality in higher education.

The Draft Act can be accessed through following link.

http://mhrd.gov.in/sites/upload_files/mhrd/files/HE_CoI_India_2018_act.pdf

NB/AKJ/YP/AK/RK