

Engaging with Cross-Border Higher Education in India, while Sustaining the Best Tradition of Indian Values

by

Solomon Arulraj David
Katholieke Universiteit Leuven

Bikas C. Sanyal
Consultant, International Institute of Educational Planning, Paris, France

Danny Wildemeersch
Katholieke Universiteit Leuven

In the knowledge race of the 21st century, cross-border higher education has become one of the irresistible phenomena due to globalization. The area of values and ethics is one of the serious concerns that this new development is posing. With India having the third largest higher education system in the world, it is experiencing this new development to a severe extent. The ethical implications of cross-border higher education in India have been widely discussed and the regulatory agencies are working on the possible ways of managing this dynamic. Two distinct voices of opposition and support for cross-border higher education are heard, while the third way, “regulating cross-border higher education with mutual benefits for all,” is considered realistic. This paper addresses the realities and ethical concerns of cross-border higher education both in global and, more specifically, in the Indian contexts, while looking for efficient ways to manage cross-border higher education in India. The recent developments in India, especially on the regulatory aspects that came along with the CNR Rao committee’s recommendations and the proceedings thereafter, seem to have put India on the right track towards having the possibility of efficient strategies to manage cross-border higher education.

Introduction

In the knowledge race of the 21st century, cross-border higher education has become one of the irresistible phenomena due to globalization. Every country is increasingly experiencing a global flavor in their higher education system. And the fast track of globalization has boosted the increase of transnational higher education during recent years. New providers, delivery methods and programs have come into the space of internationalization of higher education. Countries and international agencies like the Organization for Economic Co-operation and Development (OECD) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) are seriously thinking about quality assurance and have formulated guidelines for this new development. The area of values and ethics is one of the serious concerns that this new development is posing.

India has got the third largest higher education system in the world next to the USA and China. Although there have not been much widespread higher education imports and exports in the Indian history of higher education, in recent years the situation has been changing fast. Cross-border higher education is mostly for-profit and very often market-oriented. The primary concern here is also the buying and selling of foreign degrees through non-recognized institutions abroad and within the country without a proper teaching and learning process. There is a great concern among some stakeholders of education in India that this new development has not been properly recognized and regularized and many of them are not incorporating academic values.

This reality is challenging us to engage in a study to look for strategies to manage transnational higher education in India while respecting the best tradition of Indian values. We had to narrow down our focus so as to present a concrete understanding of engaging with cross-border higher education in India. Thus we arrived at a focal point of looking into primarily the policy concerns of this issue. Therefore the central questions of this paper are: what are the ethical threats posed by current developments on cross-border higher education in India? And how to deal with these threats in such a way that the best tradition of Indian values are being sustained?

There are two distinct views on cross-border higher education. The first one (most often the traditional domestic stakeholders of higher education) opposes the operation of foreign institutions in their countries. The second view is that some others (very often the new domestic and foreign stakeholders) recommend benefiting from this opportunity while regulating it, as this is already a reality and, moreover, irreversible. However, the international organizations such as UNESCO provide advice for all to benefit from these new global trends.

What is needed for all to benefit from globalization trends are mechanisms and policies at the national level that regulate and monitor certain aspects of crossborder provision such as registering and licensing of foreign providers, as well as quality assurance or accreditation of new programmes and providers (UNESCO, 2004).

This study is done so as to present a descriptive and prescriptive argumentation on the management of cross-border higher education in India. It is descriptive because it is primarily a literature review and it is prescriptive because it reflects the author's opinion of the policy directions for the future in India concerning this matter.

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Understanding cross-border higher education

There have been exchanges of ideas and people across borders in the higher education space for a long time, mainly for reasons of mutual cultural, social and economic advancement. Yet, the present age is experiencing an explosion of cross-border higher education initiatives. The document by the International Association of Universities (IAU), the Association of Universities and Colleges of Canada (AUCC), the American Council on Education (ACE), and the Council of Higher Education Accreditation (CHEA) observe two main trends that characterize this expansion:

One is the growing imperative of higher education institutions to internationalize – to integrate an international/intercultural dimension into teaching, research, and community service – in order to enhance their academic excellence and the relevance of their contribution to societies. Higher education institutions have long experience in this area and are rapidly expanding their cooperation with their counterparts around the world. The second trend is the growth of market-

driven activities, fueled by increased demand for higher education worldwide, declining public funding in many national contexts, the diversification of higher education providers, and new methods of delivery (IAU, 2005).

The term “cross-border higher education” could be basically understood as the movements of education and educational activities (students, scholars, knowledge, learning materials, content, program, providers, etc.) across national borders. OECD/UNESCO, in their recent Guidelines for Quality Provision in Cross-Border Higher Education, give an interesting definition on cross-border higher education:

Cross-border higher education includes higher education that takes place in situations where the teacher, student, programme, institution/provider or course materials cross national jurisdictional borders. Cross-border higher education may include higher education by public/private and not-for-profit/for-profit providers. It encompasses a wide range of modalities, in a continuum from face-to-face (taking various forms such as students traveling abroad and campuses abroad) to distance learning (using a range of technologies and including e-learning) (OECD/ UNESCO, 2005).

However, in order to provide a clear understanding of what cross-border education is, we use the framework below by Jane Knight (2005) on cross-border education, which also applies to cross-border higher education.

Category	Modes	Conditions of Cross-border Activity		
		1 Development Cooperation →	2 Exchanges/ Linkages →	3 Commercial/ For-Profit →
	Examples			
People -Students -Professors/scholars -Researchers/ -Experts/consultants	↓ -semester/year abroad -full degrees -field/research work -internships -sabbaticals -consulting			
Programs	↓ -Twinning -Franchised -Articulated/ Validated -Joint/Double Award -Online/Distance			
Providers Institutions, organization and companies	↓ - Branch Campus -Virtual University -Merger/Acquisition -Independent Institutions			
Projects	↓ -Research -Curriculum Capacity Building -Educational services			

Source: Knight, 2005

She describes two basic elements of this dynamic: 1) who/what moves – people, programs, providers and projects/services and 2) how education moves and under what conditions of development cooperation, academic exchange, and commercial initiatives. However, in recent years, due to the pressures of globalization and trade in higher education, much emphasis is being placed on delivering foreign academic courses and programs to students in their home country by various means.

The above being said, development has brought in new players, providers, delivery methods and types of programs during recent years. She identifies six types of cross-border providers:

1. Recognized institutions
2. Non-recognized institutions
3. Commercial companies, such as Apollo (USA), Informatics (Singapore) and Aptech (India)
4. Corporate universities, such as those run by Motorola and Toyota
5. Networks and affiliations (both public and private)
6. Virtual institutions

However, the traditional institutions such as public and private universities have, along with the for-profit institutions, also begun to operate with commercial motives by providing programs in other countries either independently or in connection with foreign partners. The dynamics of cross-border higher education are complex and have to be understood by the differing characteristic of importing and exporting countries. We understand that this development has been accelerated by Trade in educational services, which came along with the General Agreement on Trade and Services (GATS).

A multi billion dollar potential has been estimated in international higher education as the demand for higher education has grown high in the past few years due to the global emphasis on knowledge and skill advancement for development. The numbers of cross-border providers have grown rapidly when trade in educational services was legitimized. Countries in knowledge advancement such as the USA, the UK, Canada, Australia, France and Germany are identified as major exporters, and countries with huge populations and less access to higher education, such as China and India are identified as major importers.

As early as 1998 the international market for student mobility alone amounted to around USD 30 billion in exports. (3% of global services exports). Today it maybe more than USD 50 billion (Sanyal, 2005).

Ethical concerns with cross-border higher education

Traditionally, conventional universities (public/private/religious) were the major providers of higher education and they have been value-laden institutions. Peter Scott describes this as follows:

Universities not only express intellectual and scientific values directly through their teaching and research; they also embody powerful organizational values (notably in terms of collegial governance, institutional autonomy and academic freedom) and equally influential instrumental values (because of the increasingly potent role they play within the knowledge society); finally, universities contribute crucially to the formation of wider social and cultural values (Scott, 2004).

The post-independent higher education in many developing countries contributed (especially during the second half of the twentieth century) to national development through nationally relevant curricula, developing meaningful and active citizens to manage national demands and self-reliance. The recent developments that came along with the globalization forces have severely challenged the agenda of nation building. Although there have been concerns on ethics and values in cross-border higher education right from the inception, it became a very crucial issue from the moment that trade in educational services was legitimized through GATS.

There are both opportunities and challenges in cross-border higher education. The opportunities are the increased supply of higher education, greater access for students, support for the knowledge economy, development of joint degrees, fusion or hybridization of cultures, growing comparability of qualifications, an increasing role for the market-based approach, economic benefits for education providers, and the diversification and generation of new academic environments. The challenges include concern about quality of provision, inequality of access leading to a two-tier system, the growing problem of physical and virtual brain drain on the developed country-developing country axis, but also on other routes, homogenization of culture, weakening role of the state in establishing national policy objectives, growth in market-oriented programmes, such as business and information technology and decline in some liberal arts and pure science disciplines. These opportunities and challenges depend on the priorities, policies, resources, strengths and weaknesses of countries (UNESCO, 2004).

For many countries, education is still a public good, and developments such as market forces and trading educational services are hard to accept. Leaving the education sector to the markets may affect the nation-building agenda as markets, although enhancing efficiency, have not yet proved their role in promoting equality and their concern for the more humanistic dimensions of education and training. Moreover the international markets could lead to a decline in the national influence on deciding and designing content and curriculum. This could have a long-standing adverse effect on national concerns and national development (Varghese, 2005)

The promoters of cross-border higher education (often the multinational corporations and the countries who are largely exporting higher education) argue that cross-border higher education can help the developing countries in catering to the needs of their poorest people (Daniel, Kanwar, and Uvalić-Trumbić, 2005). However, the reality is that it is very rare to find cross-border providers who are serving the poorest of the developing countries, as their primary motive for cross-border provision is to make a profit. If cross-border higher education is argued on the grounds of trade agreements, the need for level playing fields will remain as a barrier. Trade becomes mutually beneficial when it is between or among more or less equal partners. This is not the case in education. Certain countries such as the USA have a huge educational advantage. Not only is it the largest, but it is also perceived to be the best (Altbach, 2003). For example, in 2001, the USA earned USD 11.5 billion by exporting education services, whereas it spent only USD 2.4 billion on its students studying in other countries (Knight, 2002).

Realists claim that today cross-border higher education is inevitable and that it has both threats and possibilities. According to them, either resisting or allowing are no good responses to this development. However, a third way to deal with the challenges is regulating the development, by proper legislation. One interesting major policy issue in this regard is the following question: How can new for-profit providers and traditional higher education crossborder providers contribute to the development agenda of a developing country and not weaken it? (UNESCO, 2004).

One of the serious challenges that this development has brought is the increasing academic fraud in cross-border higher education. Since cross-border providers tend to operate commercially, there seems to be more chance of malpractice. Hallak and Poisson point out the new opportunities for fraud offered by the trans-border phenomenon in their article on “Academic Fraud and Quality Assurance: Facing the Challenge of Internationalisation of Higher Education”.

Given the apparent profitability of cross-border education...Moreover, the franchising process, which represents a major component of this type of education, also offers numerous possibilities for distorted practices, with consequences such as financial corruption and or professional fraud (2005).

They provide a list of malpractices in cross-border education that explains the gravity of the ethical concerns in this area. OECD/UNESCO's guidelines on quality provision in cross-border higher education (non-binding international guidelines that facilitate, but would not supersede individual countries' authority to regulate their own higher education system) provide four main policy objectives in this regard: (OECD/UNESCO, 2005)

- Students/learners' protection from the risks of misinformation, low-quality provision and qualifications of limited validity.
- Qualifications should be readable and transparent in order to increase their international validity and portability. Reliable and user-friendly information sources should facilitate this.
- Recognition procedures should be transparent, coherent, fair and reliable and impose as little burden as possible to mobile professionals.
- National quality assurance and accreditation agencies need to intensify their international cooperation in order to increase mutual understanding.

The central issue in cross-border higher education is who recognizes and gives the power to award the qualifications both in the home and in the host countries to the cross-border providers. The role of the government is very important in this regard on the following areas:

- Licensing and regulation procedures for foreign providers.
- Quality assurance and accreditation for imported and exported education services.
- Funding protocols, including operating grants, loans, subsidies and scholarships.
- Qualification recognition and credit transfer systems (Knight, 2002).

Such regulatory framework by the governments or by the concerned authorities for higher education in countries would facilitate this development.

Cross-border higher education: the Indian situation

Since time immemorial, India has been a country of maximum global exchanges both in importing and exporting on knowledge spheres. Nalanda, one of the early higher educational institutions in the world, was involved in knowledge exchanges through many foreign students and scholars, primarily from South Asia, as early as the 5th century A.D. However, cross-border education has become very evident since colonization and more specifically from the 1990s, since India's accession to the free market economy. Although India has not made any offers in education services in the GATS 2000 round due to sensitivity to the idea that education is a public, common good, the reality is that India is both an importer and exporter of cross-border higher education. To cite some examples:

1. Indian business school, Loyola Institute of Business Administration (LIBA) has received agreement from Universitas 21 Global to receive their online training elements for a mixed mode programme offered by LIBA.

2. IIM Ahmedabad is launching a management development programme in Egypt (Sanyal, 2005).

In the area of exports, India has lately taken an aggressive attitude in admitting foreign students, thereby exporting higher education through the government sponsored agency, Educational Consultants India Limited (Ed.CIL) supported by the Ministry of Overseas Indian Affairs. The agency has been designated as the Single Window Agency to facilitate the admission of Indian Diasporas and foreign students. Ed.CIL not only guides and informs students about higher education opportunities in India, but takes care of admission formalities, provides administrative support and acts as local guardian (MOIA, n.d.).

Indian Universities, such as the Indira Gandhi National Open University (IGNOU) offer offshore programs mostly for the Indian Diasporas, but the Indian Knowledge corporates such as APTECH, NITT, BITS and TATA Infotech provide profit and market oriented programs to both Indian Diasporas and to foreign students.

In the area of the import of higher education, an incomplete list prepared by the National Institute of Educational Planning and Administration of India gives 131 examples of programs imported in 13 states from different universities abroad. The programs can be classified in four categories: Twinning, Joint Degrees, Franchise and others. The table below gives some details (NIEPA, 2004).

State	Twinning	Joint Degree	Franchise	Others	Total
Andhra Pradesh	9	9			18
Delhi	14	3	2		19
Goa		2			2
Gujarat	2	2			4
Haryana	4	2			6
Karnataka	8	3	1	1	13
Kerala		3			3
Madhya Pradesh	2			1	3
Maharashtra	10	7	1	2	20
Rajasthan	1				1
Tamil Nadu	8	9	4	2	23
Uttar Pradesh	2	2			4
West Bengal	9	3	1	2	15
Total	69	45	9	8	131

The number of cross-border providers to India is growing fast. However, note that over 30% of these institutions are not recognized or accredited in their country of origin. An equal number of their Indian collaborators are not part of the formal higher education system either. Even when the providers are universities, they are not often in the premier league and in many cases they have low reputations in their countries or origin. Neither branch campuses nor franchise agreements have had much success. Some exceptions are 61 twinning and articulation arrangements that allow students to go the source country in the final year and stay on for employment purposes (Powar and Mukand, 2004).

The programs offered by cross-border providers in India are predominantly in the professional areas of management and engineering. Internationalization of education in India has taken a commercial form, with academic consideration often taking a backseat. In principle, no objection can be raised against foreign universities trying to recruit students for study outside India. The objection is against the “selling of degrees” of questionable standard, by non-recognized institutions and even by some recognized universities (Powar and Bhalla, 2001).

In 1999, the Association of Indian Universities (AIU), formulated guidelines covering the grant of equivalence to degrees offered in India by foreign universities. The main conditions laid down are, first, that the Indian institution (partner) has adequate infrastructure and facilities as substantiated by the report of a Review Committee of the AIU; second, that the program is implemented jointly by the foreign and the Indian universities, or academic institutions affiliated to them, with both contributing to the academic

program in approximately equal measure; and third, that the foreign university gives an undertaking, in the form of a certificate, that the degree or diploma awarded to the student in India would be considered as equivalent to the corresponding degree or diploma awarded by the home university, and that it would be recognized in that country as being equivalent to the corresponding degree or diploma of the awarding university (*ibid*).

Many foreign providers refused to accept these guidelines and continued operations without a grant of equivalence as the desire to obtain a foreign degree has become one of the most attractive academic aspirations among the Indian students. Moreover, there are no clear codes for dealing with cross-border academic frauds and malpractices.

Recent developments in cross-border higher education in India

The Indian point of view on cross-border higher education is that any cross-border operation both inside and outside the country clearly needs to be controlled. But, unfortunately, the laws concerned are not clear enough. The 1956 University Grants Commission (UGC) Act and the 1987 All India Council for Technical Education (AICTE) do not prohibit the operation of foreign institutions in India. Following the 1999 AIU guidelines, the present government (Ministry of Human Resource Development [HRD]), had, in January 2005, set up a special committee under the leadership of the eminent scientist CNR Rao, aimed at advising the government of India on the entry of foreign universities into India (Education is one of the three departments of HRD Ministry). Meanwhile, AICTE announced on its website (May 16, 2005) the revised regulations for the entry of the foreign universities/institutions imparting technical education in India. It also provides a list of approved foreign institutions that can operate in India (AICTE, 2006).

The CNR Rao committee submitted the report a couple of months ago. Some of the major recommendations made by the CNR Rao committee are as follows:

1. Foreign universities have to get prior approval to set up Indian operations.
2. In the first phase, foreign universities will be given a limited trial period, a sort of probation period and, depending on their performance in the trial period, they will either be allowed or forbidden to set up long-term operations.
3. The proposed system will apply to all modes of operation, such as franchises, agreements, twinning programs, study centers, program collaborations, and offshore or branch campuses.
4. The proposal also calls for strong disincentives, such as the forfeiture of substantial security deposits. This has been suggested to ensure that foreign players and their partners do not discontinue their operations after a few years, leaving students in the lurch (Satyanarayan, 2006a).

Following the CNR Rao committee's recommendations, the ministry had indicated that it would prepare a draft proposal before moving towards central government legislation. Nandini Iyer, in her article in *The Hindustan Times* (7 August, 2005) notes that the Government sources say it is likely that the recommendations of the CNR Rao Committee will be accepted in full (*ibid.*). According to Swaraj Thapa's report in *The Financial Express* (2005):

A high-powered ministerial panel is on the cards to decide on the entry of foreign universities into India in the light of stringent recommendations made by an expert committee headed by noted scientist CNR Rao. According to government sources, Prime Minister Manmohan Singh was likely to refer the matter to a group of ministers once the proposal was placed before the Cabinet by the HRD ministry. India has to open the education sector as part of its international commitment on the General Agreement on Trade in Services (GATS).

The Indian Express reports on a move by the Ministry of HRD to reverse India's decision on allowing foreign universities free entry into India, by asking the Ministry of Commerce to remove education from India's offer to the WTO. The withdrawal of the offer would now mean a limited entry for the foreign educational institutions, with the government enacting a bill to regulate their entry operations, as well as their fees (4 February, 2006).

There are both favorable and opposing voices heard around to the recommendations of the CNR Rao committee and the government's move afterwards. Nirvikar Singh, professor at the University of California, Santa Cruz, in his article in *The Financial Express* (2005), expresses his disappointment about the recommendations of the CNR Rao Committee:

However, there is a tremendous supply bottleneck in India's higher education. The government's traditional response seems to be based on the assumption that private sector incompetence or malfeasance mirrors its own. Thus, for example, private and foreign investment in higher education, which would generate jobs by both, expanding education and by raising the productivity of entrants to the workforce, are government-constrained in ways that make no sense.

The education minister of West Bengal (one of the states in India), in an interview to *The Statesman*, opposed, giving three reasons, India's idea to allow foreign universities to open branches in India. First, the syllabi would not reflect Indian culture and ideas, merely an alien one. Secondly, the institutions would be coming to India simply to make money, not to work in the interests of the Indian nation, and there is no guarantee about what would be taught. Thirdly, the presence of private institutions like Oxbridge would upset the system of planning for the country. If all higher education institutions are "Indian" or government-run, the government can involve itself in long-term planning. Also, these institutions, he said, could teach something that may not be required in terms of manpower planning, suggesting that these people would be virtually unemployable (Satyanarayan, 2006b).

Amidst both opposing and favorable voices, most people in India believe that education must be essentially be grounded in the academic values that India has been fostering for long (Powar and Bhalla, 2001).

Engaging with cross-border higher education in India

Having explained the realities and ethical implications of cross-border higher education in both the global and Indian contexts, we now move on to look into the management of cross-border higher education in India aimed at respecting the best tradition of Indian values. The interesting statements of Sri Aurobindo, an Indian philosopher *cum* educationist and Rabindranath Tagore, the first Indian Nobel Laureate, are important and notable here. They warn against the free opening of borders to the foreign import of educational services:

We must therefore save for India all that she has stored up of knowledge, character and noble thought in her immemorial past. We must acquire for her the best knowledge that Europe can give her and assimilate it to her own peculiar type of national temperament. We must introduce the best methods of teaching humanity has developed, whether modern or ancient. And all these we must harmonise into a system which will be impregnated with the spirit of self-reliance so as to build up men and not machines (IFIH, 2006).

What I object to is the artificial arrangement by which this foreign education tends to occupy all the space of our national mind and thus kills, or hampers, the great opportunity for the creation of a new thought power by a new combination of truths. It is this which makes me urge that all the elements in our own culture have to be strengthened, not to resist the Western culture, but truly to

accept and assimilate it, and use it for our food and not as our burden; to get mastery over this culture, and not to live at its outskirts as the hewers of texts and drawers of book-learning (*ibid.*).

We find noteworthy of the pre-requisites for cross-border providers as referred by Ved Prakash in his paper “Internationalization of Higher Education: The Indian Context”. As they are very elaborative, we provide them in the Annex. On the other hand, there is the voice of the realists who, as we mentioned before, are impressed by the inevitability of international pressures and who warn again the closing of Indian minds to foreign knowledge. The strategic and realistic Indian stance in globalization was once very well expressed by Bimal Jalan, the Former Governor of the Reserve Bank of India.

To my mind, neither view – for or against – is correct. The only rational view is to accept it as an emerging and powerful global reality which has a momentum of its own. Our job as an independent nation/state is to ensure that we maximize the advantage for our country and minimize the risks (Jalan, 2002).

The realists claim that cross-border education could create win-win situations, or mutual benefits, both for the foreign providers and for the domestic receivers, not necessarily using the same measures (because not all countries can reciprocate in the same way as countries that are better off), but with a reasonable return. For example, if one country is better off in knowledge transmission, the weak partner could, in return, export other services or goods using the same reasonable measures. Although it sounds like business, this can set the path for fair trade. In dealing with knowledge transmission and trade in educational services, quality of the cross-border provision must clearly be ensured. This national cross-border quality assurance must be framed in relation to the international cross-border quality assurance standards, with primary focus to the country priorities and backgrounds. While understanding the recent developments in cross-border higher education and the regularizing initiatives in India, we find that the movement of the government of India on cross-border higher education is on the right track, thanks to the CNR Rao Committee recommendations and the proceedings thereafter. We presume that if these recommendations are translated into standard guidelines to regularize the operation of cross-border education with better quality assurance, this can assure the true fruits of cross-border educational services. And these guidelines must address the concerns about mutual recognition and reciprocity.

Conclusion

The Sir John Daniel-led presentation “Who’s Afraid of Cross-Border Higher Education? A Developing World Perspective”, at the International Network for Quality Assurance Agencies in Higher Education (INQAAHE) 2005 annual conference in Wellington, New Zealand, clearly defined in its conclusion that developing countries are afraid of cross-border higher education. We find it sensible to react to this statement by voicing the developing countries’ perspectives. The concerns of developing countries, and countries in transition, regarding cross-border higher education are that the voices discussing the internationalization of higher education are largely western and also that markets are now, more than ever before, the driving forces behind internationalization trends worldwide. Major academic superpowers (countries/corporations) dominate knowledge transmission and, like any other globalizing factors, knowledge transmission also more often flows from the west and the north to the south and the east. Global policies and guidelines are more often designed and developed in favor of these superpowers.

There are not enough voices heard from the developing countries. However, China’s stance in this regard is admirable (although it is not a proved reality): one of the most recent pieces of Chinese legislation (March 2003) on transnational educational provision insists on “reasonable return”, meaning the guest country or institution that signs an agreement with China must allow China to operate in their home country in reasonably equal terms (Garrett, 2004)

One interesting intervention at this point would be a demand for a fair trade in knowledge services. One may wonder how many major knowledge exporting countries are really ready to import knowledge

services coming from the south and the east. Are they aware that they can learn something from these countries? Therefore a global north-south dialogue on knowledge exchanges must be triggered if all agree on trade and internationalization of knowledge services. And special safety net mechanisms (e.g. advantages for the less privileged) must be provided to create level playing fields among partners. Countries must be allowed to be the sole authorities to regulate their own higher education systems; however, a global forum (such as that of UNESCO/OECD) must, on fair terms and with fair measures, facilitate the quality assurance and the equal and mutual benefits of countries in cross-border knowledge transmission. Given the fact of the recent advancement in setting out guidelines for cross-border higher education in India, we can expect a better and more transparent transnational knowledge transmission if those guidelines are genuinely practiced.

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ANNEXE

Any institution that wishes to operate in a foreign land should be required to register itself with one of the designated regulatory bodies of the host countries. Such registration should be reviewed every three years in view of the satisfaction of the host country. Foreign institutions should be made to submit a 'No Objection Certificate' from the concerned Embassy in the host country. For registration of a foreign institution, the regulatory body of the host country should cause an inspection of the institution with a view to ensuring the appropriateness and quality of programmes and also the credibility of the institution. On being satisfied, the regulatory body should issue a certificate of registration to the concerned institution declaring its eligibility to perform the prescribed functions subject to the following conditions:

1. At the time of registration, the foreign institution should submit to the registering body of the host country a proof of financial viability for running the institution for a t least five years.
2. No foreign institution should be allowed to operate by the host country if it is not accredited in the home country.
3. Foreign institution should offer only those programmes in the host country which it offers in the home country.
4. Foreign institutions should ensure that the degree, diploma, curricula of the courses offered and their duration etc. are identified to the ones that it offers in the home country.
5. Foreign institutions will be obligated to publish every single information necessary for the students and parents prior to the commencement of their programmes.
6. Foreign institution should not offer any such programme which jeopardizes the national interest of the host country.
7. Fee charged by the foreign institution from the students should be prescribed by the institution within the regulatory framework prescribed for it by the host country.
8. Foreign institution may offer the programmes in collaboration with an institution of the host country provided the latter is accredited by a recognized accrediting agency.
9. In case a foreign institution offers a distance education programme, the collaborating host institution should have adequate student support facilities as may be prescribed by the professional statutory bodies.
10. Any change in the collaboration agreement, pertaining to management of functioning of the registered foreign institution including expansion of its activities shall require prior approval of the regulatory body of the host country.
11. Any foreign institution functioning without registration shall be liable to withdrawal of visa to its employees and also to repatriation of its funds from the host country to home country.
12. The regulatory body of the host country may withdraw the certificate of registration of a foreign institution at any time on its satisfaction that the concerned institution has violated the terms & conditions.

(Prakash, 2005)