



TODAY'S ANALYSIS

(23 January 2025)

TOPICS TO BE COVERED

- **DRAFT UGC REGULATIONS**
- **IMEC CORRIDOR & ITS IMPLICATIONS**
- **MCQs**



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DRAFT UGC REGULATIONS

Overview of the Issue

- The **University Grants Commission (UGC)** recently proposed an amendment to its **Regulation 2010** that deals with the **selection and appointment** of vice-chancellors (VCs) in universities.
- The key change in this proposal is to allow professionals from fields outside academia—such as **industry, public administration, and public policy**—to be considered for the role of vice-chancellor, provided they have at least **10 years of experience**.
- This draft regulation has faced strong opposition, especially from **non-BJP-led state governments**, who argue that it violates the **federal structure** of India and **interferes with state powers over university administration**.
- This issue **raises important legal and constitutional questions** about the powers of the central and state governments in managing universities.

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DETAILS

- Under the **UGC Regulation 2010**, vice-chancellors are selected from **academics** who have at least **10 years of experience** as a **professor**.
- The **proposed amendment changes this by allowing professionals from outside academia** to be eligible for the VC position. These include:
 - Professionals from **industry**.
 - Experts in **public administration**.
 - Professionals in **public policy**.
- These professionals would also need to have **10 years of experience** in their respective fields to qualify.
- This broadens the pool of candidates for the position of VC, which has traditionally been limited to academic professionals.

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OBJECTIONS FROM THE STATE GOVERNMENTS

Several state governments, particularly those led by parties **other than the Central Ruling Party**, have raised strong objections to the proposed regulation. Their main concerns are:

- **Violation of Federalism:** These state governments argue that the UGC's regulation interferes with the **autonomy of state-run universities**.
 - **Since state legislatures have the authority to govern their own universities**, they believe the **central government should not impose regulations on matters like the selection of vice-chancellors**.
- **State Autonomy:** Critics argue that **state governments**, not the central UGC, should have the right to determine the qualifications and selection process for vice-chancellors.
 - The regulation, they say, oversteps the powers of the states and violates the principles of **federalism** set out in the **Indian Constitution**.

In response, these states have called for the **withdrawal** of the draft regulation.

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UGC ACT, 1956: PURPOSE & POWERS

- The **UGC Act, 1956** was created by Parliament to promote and coordinate university education in India and ensure academic standards. The main responsibilities of the UGC under the Act are:
 - **Coordinating and promoting** university education across India.
 - Setting **academic standards** for teaching, research, and examinations in universities.
 - **Allocating funds** to universities for their development.
- The Act grants the UGC the authority to create regulations, especially related to:
 - **Faculty qualifications.**
 - **Standards for teaching and research.**
- However, the UGC Act **does not mention** anything about the **selection or appointment of vice-chancellors.**
- This raises questions about whether the UGC has the authority to regulate vice-chancellor appointments.

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LIMITS OF UGC POWERS

- The most important issue is whether the UGC has the **legal authority** to regulate the selection and appointment of vice-chancellors, as this is **not addressed** in the UGC Act.
- The Act mainly deals with academic standards, **not university administration**.
- The **UGC Act** empowers the UGC to set standards for teaching, research, and examinations, **but it does not give the UGC the power to interfere with the way universities are run or how their leadership is selected**.
- The selection of vice-chancellors has traditionally been decided by **state laws** or **university statutes**, which are established by state legislatures or university governing bodies.
- Therefore, the UGC's attempt to regulate vice-chancellor appointments may be considered **beyond its legal powers (ultra vires)**, as it falls outside the scope of the UGC Act.

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LEGAL PRECEDENTS & COURT RULINGS

There are important court rulings that have dealt with similar issues:

- **Suresh Patil Khede v. Chancellor of Universities of Maharashtra (2011):**
 - The **Bombay High Court** ruled that the **qualifications and appointment methods** for vice-chancellors do not directly affect **academic standards**.
 - Therefore, the court held that the **UGC's regulations cannot interfere** with state laws that govern vice-chancellor appointments.
 - The court made it clear that **UGC regulations cannot override state laws** when it comes to the selection of vice-chancellors.
- **Kalyani Mathivanan v. K.V. Jeyaraj (2015):**
 - The **Supreme Court** upheld the idea that UGC regulations are **binding** on universities that receive UGC funding.
 - However, the court also clarified that these regulations are **advisory** for **state-run universities** and cannot **override state laws**.
 - The court's ruling allows **state universities** to follow their own laws and decide their own selection processes for vice-chancellors, even though they can consider UGC guidelines.

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CONSTITUTIONAL FRAMEWORK & FEDERALISM

- India's Constitution establishes a **federal structure**, which means that certain powers are divided between the **Union (central)** and **State governments**.
- Education is a **concurrent subject**, meaning both the Union and States can make laws in this area.
- However, the Union's power to make laws in a concurrent subject does not automatically mean it can override state laws unless explicitly stated.
 - **Article 254 of the Constitution** deals with conflicts between **central and state laws**. **If a state law conflicts with a central law, the state law is void to the extent of the conflict**, unless it has been approved by the **President**.
 - However, this does not apply to **subordinate legislation** like UGC regulations.
- Since **UGC regulations are subordinate** (meaning they are not laws passed by Parliament), they cannot override state laws unless specifically allowed by Parliament.

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CAN UGC REGULATIONS VIOLATE STATE LAWS?

A key legal question in this case is whether UGC regulations can **override state laws** that govern the selection of vice-chancellors.

- The **Suresh Patil Khede case (2011)** made it clear that UGC regulations are not **superior** to state laws. The regulations can't change how vice-chancellors are selected by state universities, as those laws are **separate** from UGC guidelines.
- In the **Kalyani Mathivanan case (2015)**, the **Supreme Court** ruled that UGC regulations are **binding** on universities, but **only for central universities**.
- For **state universities**, these regulations are **only advisory**, meaning states can follow them, but they are not obligated to.

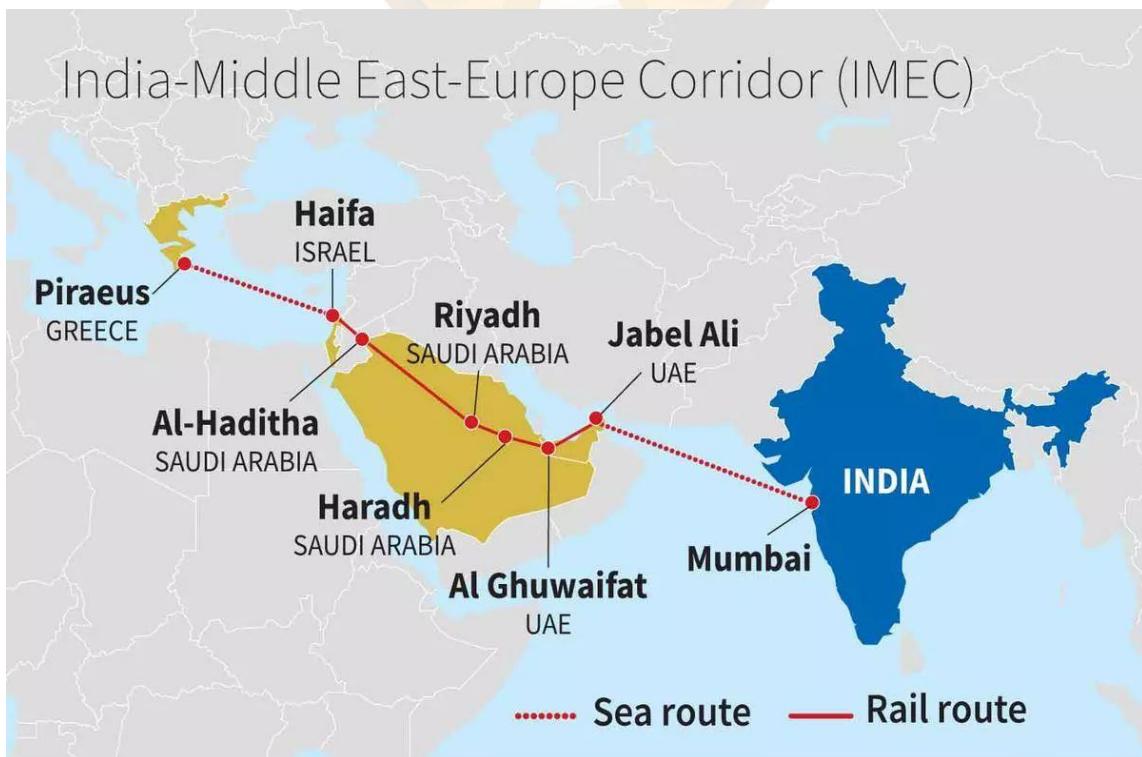
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IMEC CORRIDOR & ITS IMPLICATIONS

- **Gaza Ceasefire and IMEC's Revival:** US President Joe Biden recently commented that with the **ceasefire deal** between **Israel** and **Hamas**, the **IMEC Corridor** could finally become a reality.
- Biden highlighted how the project could transform global connectivity and regional economies.
- **Impact of the Ceasefire:** The IMEC project faced delays after the **Hamas attack on Israel in October 2023**, which caused instability in the region.
- With the ceasefire, the project can now move forward without such geopolitical hurdles.



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WHAT IS IMEC?

- The **India-Middle East-Europe Economic Corridor (IMEC)** is a large-scale infrastructure project designed to connect **India**, the **Middle East**, and **Europe** through a network of **ports, railways, roads, sea routes, and pipelines**.
- This initiative aims to improve trade, connectivity, and cooperation among these regions.
- **Participants:** The project was officially announced during the **G20 summit in New Delhi** on **September 9, 2023**.
- The agreement was signed by **India, the United States, Saudi Arabia, the UAE, France, Germany, Italy, and the European Union**.

STRATEGIC IMPORTANCE OF IMEC

- **Global Trade and Connectivity:** IMEC aims to significantly enhance **trade routes** between **Asia**, the **Middle East**, and **Europe**, making trade faster, cheaper, and more efficient.

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- **Alternative to China's OBOR:** The IMEC Corridor is seen as a **counter** to China's **Belt and Road Initiative (BRI)**.
 - **Unlike BRI, which focuses on Chinese interests**, IMEC provides a platform for regional cooperation, infrastructure development, and a more balanced trade network.
- **India's Growing Role:** For India, this project is a key step in positioning itself as a **global leader in trade and infrastructure development**. It also boosts India's strategic presence in **Middle Eastern** and **European** markets.

KEY FEATURES

- **Rail and Shipping Routes:**
 - The IMEC will feature **cross-border railways** connecting **India** to the **Arabian Gulf** and then linking the **Gulf** to **Europe**.
 - A **shipping route** will connect the Indian ports of **Mumbai** and **Mundra** to the **UAE**, with rail links extending to **Israel's Haifa port** and onward to **Greece** and **Europe**.

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- **Infrastructure:**

- **Energy:** IMEC will include **hydrogen gas pipelines** and **electricity grids** to enhance energy security across regions.
- **Digital Connectivity:** The project also plans to lay **fiber-optic cables** to boost digital infrastructure and improve communication.

- **Efficiency:** The corridor aims to make the trade process more **cost-effective** and **reliable**, improving regional supply chains and boosting economic activity in the participating countries.

THE IMEC PROJECT'S BENEFITS

- **Economic Cooperation:** IMEC will lead to greater **economic cooperation** between India, the Middle East, and Europe, helping countries involved to strengthen their trade ties and open up new markets for goods and services.
- **Job Creation and Economic Growth:** By improving trade routes and infrastructure, the IMEC is expected to **generate jobs** and promote sustainable economic development in the participating regions.
- **Sustainability:** The project also focuses on reducing **greenhouse gas emissions** by providing **more efficient transport options** and supporting **clean energy** initiatives like hydrogen gas transport and renewable electricity.

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- **Secure Trade Routes:** The development of IMEC aims to **secure regional supply chains**, reduce transportation costs, and ensure **reliable trade routes** that will be critical for future economic stability.

ROLE OF INDIA IN IMEC

- **Key Player:** India is at the heart of the IMEC initiative, both geographically and strategically. As the starting point of the corridor, **India's** involvement ensures it will play a central role in reshaping global trade routes and positioning itself as a **major economic and diplomatic** force.
- **Strengthening Regional Ties:** India's active participation in the project also strengthens its ties with both the **Middle East** and **Europe**, making it a critical partner in regional and global economic development.

CHALLENGES & ROADBLOCKS

- **Geopolitical Tensions:** While the **ceasefire** between Israel and Hamas is a positive development, tensions in the **Middle East** remain high. **Conflicts** or **instability** in the region could still delay or hinder progress on the project.

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- **China's Response:** China's **Belt and Road Initiative (BRI)** remains a major competitor to the IMEC. The Chinese government has already invested in several infrastructure projects in **Asia** and **Africa**, and its reaction to the IMEC may influence the global response to the project.
- **Regional Cooperation:** The success of IMEC will depend on continued **collaboration** and **cooperation** among the countries involved. Any breakdown in communication or disagreements over project details could delay progress.

IMEC'S BROADER IMPLICATIONS

- **Shaping Future Global Trade:** The IMEC project is poised to reshape how goods move between **Asia**, the **Middle East**, and **Europe**, bringing more **efficiency** and **stability** to global supply chains.
- **Strategic Influence:** For countries like India, the IMEC is a strategic tool that increases their global influence in **geopolitical** and **economic** matters.
- **Alternative Growth Model:** By focusing on **regional collaboration** and **sustainable infrastructure**, IMEC offers an alternative to China's **One Belt, One Road (BRI)**, which is often criticized for its debt-trap diplomacy and its heavy focus on Chinese interests.

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MCQs

1. Consider the following statements wrt UGC Act, 1956 & mark the correct one:
 1. The UGC Act empowers the UGC to set standards for appointments.
 2. The UGC Act makes UGC responsible for allocating funds to universities for their development.

(A) Only 1
(B) Only 2
(C) Both 1 & 2
(D) Neither 1 nor 2



Ans. (B)

2. Which of these is not mentioned in the UGC Act, 1956?
 - (A) Setting standards for Research
 - (B) Financing
 - (C) Appointment of Vice Chancellor
 - (D) All of the above are mentioned in the Act.

Ans. (C)

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3. Which of these countries is not part of the India Middle East Europe Economic Corridor (IMEC)?

- (A) Jordan
- (B) Israel
- (C) UK
- (D) Italy

Ans. (C)

4. Consider the following statements and mark the correct one:

- 1. IMEC is a multimodal transport corridor connecting Asia Africa & Europe.
- 2. IMEC was announced under India's G20 leadership in 2022.

- (A) Only 1
- (B) Only 2
- (C) Both 1 & 2
- (D) Neither 1 nor 2

Ans. (B)

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