Reconfiguring Regulatory Governance in Indian Higher Education: A Critical Review of the Higher Education Commission of India (HECI) Bill, 2025

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Abstract: *India's higher education system has expanded rapidly over the past three decades, yet it continues to face persistent challenges related to fragmented regulation, uneven quality assurance, limited outcome transparency and constrained institutional autonomy. The proposed Higher Education Commission of India (HECI) Bill, 2025, emerging from the reform agenda articulated in the National Education Policy (NEP) 2020, seeks to address these challenges through the creation of a unified yet functionally differentiated regulatory architecture. This review paper provides a comprehensive and critical analysis of the HECI Bill by examining its historical evolution from the Draft HECI Bill of 2018, its governance design, policy rationale, stakeholder expectations and implementation risks. Drawing on policy documents, expert committee reports, parliamentary debates and comparative international literature, the paper evaluates the Bill's implications for regulatory coherence, federal balance, institutional autonomy, accreditation capacity and funding equity. The review argues that while the HECI framework has the potential to improve transparency, accountability and outcome-oriented governance, its effectiveness will depend critically on cooperative Centre–State relations, institutional capacity-building, robust digital infrastructure, transparent funding mechanisms and safeguards for academic pluralism. The paper contributes to scholarly debates on higher education governance in large federal systems and offers policy-relevant insights for regulators, institutions and researchers.*

Keywords: Higher Education Governance, HECI Bill 2025, NEP 2020, Regulatory reform, Accreditation, Regulatory Coherence, National Higher Education Regulatory Council, NHERC, National Accreditation Council, NAC, General Education Council, GEC, Higher Education Grants Council, HEGC.

1. Introduction

Higher education governance constitutes a central pillar of national development, shaping knowledge production, human capital formation, social mobility and global competitiveness. In large and diverse societies, regulatory design plays a particularly critical role in balancing expansion with quality, autonomy with accountability and national coordination with institutional diversity. India's higher education system, one of the largest in the world, exemplifies these governance tensions.

As of the early 2020s, India hosts more than 1100 universities and nearly 45000 colleges, enrolling over 43 million students [1]. Rapid expansion since the 1990s has significantly improved access and participation, but it has also exposed deep structural weaknesses. Persistent concerns include regulatory fragmentation, overlapping mandates across multiple statutory bodies, inconsistent quality assurance, faculty shortages, uneven research output and weak alignment between educational outcomes and labour-market needs [2] [3].

Against this backdrop, the **Higher Education Commission of India (HECI) Bill, 2025**, proposed during the Winter Session of Parliament, represents one of the most consequential governance reforms in Indian higher education since independence. The Bill seeks to repeal the University Grants Commission (UGC) Act and subsume the regulatory functions of bodies such as the All India Council for Technical Education (AICTE) and the National Council for Teacher Education (NCTE), while excluding medical and legal education from its ambit. In their place, the Bill proposes a single overarching statutory framework structured around functional separation of regulation, accreditation, academic standard-setting and funding [1].

The HECI Bill operationalises the regulatory vision articulated in the **National Education Policy (NEP) 2020**, which explicitly called for a "light but tight" regulatory architecture grounded in transparency, reduced human discretion, technology-enabled governance and graded institutional autonomy [1]. Unlike earlier incremental reforms, HECI represents a structural reconfiguration of governance rather than an administrative adjustment.

However, the proposed reform has also generated substantial debate. Critics have raised concerns regarding centralisation, erosion of state authority in a constitutionally concurrent domain, ambiguity surrounding funding responsibilities, institutional readiness for data-driven regulation and risks to academic autonomy and pluralism [4][5]. These debates underscore the need for systematic academic analysis that moves beyond descriptive policy commentary.

Objectives and Research Questions

This review paper seeks to critically examine the HECI Bill, 2025 as a governance reform. It addresses the following research questions:
1) What structural and regulatory limitations of the legacy higher education regime does the HECI Bill seek to address?
2) How does the governance architecture proposed under HECI differ from previous regulatory arrangements in India?

3) What are the likely implementation challenges and risks in India's federal, institutional and technological context?

By addressing these questions, the paper positions the HECI Bill within broader global debates on higher education governance and evaluates its potential to reshape Indian higher education outcomes.

2. Literature Review and Policy Context

2.1 Global Trends in Higher Education Governance

Over the past three decades, higher education systems worldwide have undergone significant governance transformation. Comparative scholarship highlights a shift away from discipline-based, inspection-oriented regulation toward functionally differentiated governance models that separate regulation, accreditation, funding and academic standard-setting [6][7]. This shift has been driven by massification, fiscal pressures, demands for accountability and international competition.

Countries such as the United Kingdom and Australia have consolidated regulatory authority while simultaneously strengthening independent quality assurance agencies and performance-linked funding mechanisms [6]. Accreditation has increasingly moved toward continuous, data-driven assessment models that emphasise learning outcomes, graduate employability and research performance rather than infrastructure compliance [7].

However, international evidence also cautions that such reforms are effective only when supported by strong institutional capacity, reliable data systems and trust-based relationships between regulators and institutions. In their absence, centralised governance risks producing metric-driven compliance cultures rather than genuine quality enhancement [6].

2.2 Indian Higher Education Policy Discourse after 2018

In India, policy debates after 2018 increasingly focused on regulatory simplification, accreditation expansion and institutional autonomy. The **Draft Higher Education Commission of India Bill, 2018** marked the first attempt to dismantle the UGC-centric regulatory regime, but it faced widespread opposition from state governments, universities and academic associations [8].

These debates strongly influenced the framing of NEP 2020, which acknowledged that India's regulatory system had become "over-regulated and under-governed" [1]. The Policy proposed replacing fragmented regulation with a single umbrella body while separating core functions to reduce conflicts of interest and improve accountability.

Despite extensive commentary on NEP 2020, systematic academic analysis of the HECI Bill as a legislative instrument remains limited. Much of the existing literature focuses on policy intent rather than governance design, federal implications, or implementation feasibility [3][9]. This review addresses this gap by analysing HECI as a structural governance reform embedded within India's political economy and institutional realities.

3. Methodology

3.1 Research Design

This study adopts a qualitative policy review and governance analysis approach, appropriate for examining legislative reforms and institutional design in higher education systems. Rather than causal measurement, the focus is on conceptual clarity, regulatory coherence and implementation feasibility.

3.2 Data Sources

The analysis draws on multiple categories of sources:
- Primary policy documents, including the National Education Policy 2020 and official implementation guidelines [1][10]
- Draft and consultative materials related to the HECI proposal (2018–2025)
- Reports of expert committees on accreditation, governance and data systems [11][12]
- Publications by national and international policy institutions, including NITI Aayog, the World Bank and the OECD [6][7][9]
- Editorials and analytical articles from national newspapers to contextualise political and stakeholder debates [4][5]

3.3 Analytical Framework

The HECI Bill is analysed across four dimensions:
- Regulatory coherence and functional separation
- Institutional autonomy and accountability mechanisms
- Federal governance balance and Centre–State relations
- Implementation capacity, including digital readiness and equity implications

4. Evolution of the HECI Proposal: From the 2018 Draft to the 2025 Bill

4.1 The Draft Higher Education Commission of India Bill, 2018

The first substantive attempt to restructure India's higher education regulatory framework emerged with the Draft Higher Education Commission of India (Repeal of UGC Act) Bill, 2018. The draft proposed the dissolution of the University Grants Commission and the creation of a central regulatory body with powers over institutional authorisation, quality enforcement and academic oversight [8].

The policy rationale behind the 2018 draft was grounded in concerns that the UGC had become overly procedural, compliance-oriented and ineffective in ensuring quality outcomes. The draft sought to move away from infrastructure-centric regulation toward outcome-based oversight, while also limiting the discretionary powers historically exercised by regulators [13].

However, the draft was widely perceived as centralising regulatory authority without adequately addressing federal sensitivities or governance representation. State governments,

public universities, teacher unions and student organisations raised concerns that the proposed Commission concentrated excessive power at the Centre, undermining education's status as a subject in the Concurrent List of the Constitution [8][14].

4.2 Stakeholder Feedback and Withdrawal

The 2018 draft was released for public consultation and reportedly received over 7,500 submissions from a wide range of stakeholders. Several recurring critiques emerged from this feedback:

- **Federal imbalance**: State governments argued that the draft weakened their role in higher education planning, funding and oversight [14].
- **Equity concerns**: Uniform regulatory norms were viewed as likely to disadvantage smaller, rural and resource-constrained public institutions [15].
- **Governance representation**: Faculty and student bodies criticised the absence of guaranteed representation in decision-making structures [16].
- **Continuity of regulatory culture**: Critics noted that while institutional form changed, the regulatory philosophy remained command-and-control oriented [13].
- **Ambiguity in integration**: The draft lacked clarity on how discipline-specific bodies such as AICTE and NCTE would be harmonised [8].

In light of these objections, the draft was not introduced in Parliament. Instead, the feedback became a key input into the formulation of **NEP 2020**, which reframed regulatory reform in more conceptual and phased terms.

4.3 Reframing under NEP 2020

The National Education Policy 2020 marked a decisive shift in how regulatory reform was articulated. Rather than focusing narrowly on institutional replacement, NEP 2020 proposed a principled restructuring of governance, emphasising:

- Functional separation to reduce conflicts of interest
- Technology-enabled transparency and public self-disclosure
- Accreditation-linked graded autonomy
- Reduced human discretion through rule-based systems [1]

Importantly, NEP 2020 explicitly acknowledged earlier criticisms, stressing the need for cooperative federalism, differentiated regulation and sensitivity to institutional diversity. The policy thus laid the conceptual groundwork for the **HECI Bill, 2025**, which can be seen as an attempt to translate NEP's abstract principles into statutory form.

5. Structural Limitations of the Legacy Regulatory Regime

5.1 Fragmented and Overlapping Regulation

Prior to the proposed reform, Indian higher education has been operated under a multi-regulator architecture involving the UGC, AICTE, NCTE and numerous professional councils. While this arrangement supported rapid expansion after liberalisation, it gradually produced overlapping mandates, duplicative approvals and regulatory uncertainty [17].

Institutions offering interdisciplinary programmes often faced conflicting norms from different regulators, leading to procedural delays and compliance burdens. This fragmentation also encouraged a culture of regulatory navigation rather than academic innovation [18].

5.2 Input-Oriented Compliance Culture

A defining feature of the legacy regime was its emphasis on inputs rather than outcomes. Regulatory assessments prioritised infrastructure norms, faculty numbers and documentary compliance over teaching effectiveness, student learning, or research quality [19].

Accreditation processes, primarily conducted by NAAC and NBA, relied heavily on episodic, visit-based evaluations and self-study reports. While accreditation grades became symbolic markers of institutional reputation, they offered limited insight into actual academic performance or graduate trajectories [20].

5.3 Discretion, Delay and Trust Deficits

The concentration of discretionary authority within regulatory bodies contributed to inconsistent rule interpretation and institutional uncertainty. Approval delays, compliance inspections and retrospective norm changes weakened trust between institutions and regulators [17].

Over time, these dynamics fostered a perception that regulation functioned more as an instrument of control than as a mechanism for quality enhancement. This trust deficit became a central justification for governance reform under NEP 2020 [1].

6. Policy Logic and Design Principles of the HECI Bill, 2025

6.1 Functional Separation as Governance Strategy

At the core of the HECI Bill lies the principle of functional separation. By assigning regulation, accreditation, academic standards and funding to distinct verticals, the Bill seeks to minimise conflicts of interest and improve accountability [1][9].

This approach aligns with global governance models in which regulators do not simultaneously accredit institutions or allocate funding, thereby reducing incentives for regulatory capture or politicisation [6].

6.2 The Four-Vertical Architecture

The proposed HECI framework consists of four autonomous but coordinated bodies:
1) **National Higher Education Regulatory Council (NHERC)** – responsible for institutional authorisation, compliance and closure

2) **National Accreditation Council (NAC)** – a unified quality assurance body integrating existing accreditation functions
3) **General Education Council (GEC)** – tasked with defining learning outcomes, qualification frameworks and academic standards
4) **Higher Education Grants Council (HEGC)** – intended to allocate funding based on equity and performance criteria [1]

This architecture represents a departure from discipline-based regulation toward system-wide governance focused on outcomes and transparency.

6.3 Autonomy Linked to Accreditation Maturity

A key innovation under HECI is the principle of **graded autonomy**. Institutions demonstrating robust governance, quality assurance and outcome performance are expected to receive progressively greater academic, administrative and financial autonomy [21].

In theory, this creates incentives for continuous improvement while reducing regulatory intrusion for mature institutions. However, it also raises concerns regarding institutional readiness and uneven capacity across the system.

7. Technology and Data as Enablers of Governance Reform

7.1 From Episodic Inspection to Continuous Visibility

The HECI framework presupposes a shift from episodic inspections toward continuous digital oversight. National platforms such as the Academic Bank of Credits (ABC), DigiLocker and proposed integrated data systems are intended to enable real-time monitoring of institutional performance [10].

This approach reflects broader trends toward data-driven governance, where regulatory decisions are informed by continuous institutional telemetry rather than periodic audits [7].

7.2 Risks of Digital and Algorithmic Governance

While technology promises efficiency and transparency, it also introduces new risks. Over-reliance on quantitative indicators may incentivise metric manipulation, narrow academic priorities and disadvantage institutions serving marginalised populations [22].

Moreover, algorithmic decision-making raises concerns regarding opacity, bias and accountability, particularly in a system as large and heterogeneous as India's [23]. Without robust safeguards, digital governance may reproduce legacy inequities in technologically mediated form.

8. Federalism, Centre–State Relations and Governance Balance

8.1 Constitutional Context of Higher Education Governance

Education in India is constitutionally located in the Concurrent List, assigning shared responsibility to the Union and State governments. While the Centre plays a coordinating and standard-setting role, States are responsible for establishing, funding and administering the majority of higher education institutions. As of the mid-2020s, more than 95% of colleges and over 60% of universities fall under state jurisdiction [24].

Against this backdrop, the proposed HECI framework raises fundamental questions regarding the balance between national coordination and subnational autonomy. Previous attempts at regulatory consolidation, including the 2018 draft Bill, encountered resistance precisely because they were perceived as diluting the federal character of higher education governance [14].

8.2 State Government Concerns

State governments have articulated three principal concerns regarding the HECI Bill:
1) **Regulatory centralisation**: States fear that NHERC's authorisation and compliance powers may override State-level planning priorities and legislative frameworks [25].
2) **Funding asymmetry**: Since most public institutions are funded by States, regulatory mandates without commensurate financial support may impose unfunded obligations [26].
3) **Representation deficits**: The absence of explicit guarantees for State representation in HECI's governing bodies has raised apprehensions about voice and influence [24].

NEP 2020 acknowledges these concerns in principle, emphasising cooperative federalism. However, translating this principle into operational governance arrangements remains a critical implementation challenge.

8.3 Cooperative Federalism as an Implementation Requirement

For HECI to function effectively, regulatory harmonisation must be accompanied by consultative mechanisms, shared data systems and negotiated standards rather than unilateral enforcement. International experience suggests that governance reforms in federal systems succeed when national regulators operate as coordinators and capacity builders, not merely as compliance enforcers [6].

Without sustained Centre–State dialogue, HECI risks either resistance-driven non-compliance or superficial adoption without substantive reform.

9. Stakeholder Expectations and Institutional Responses

9.1 Expectations of Higher Education Institutions

Universities and colleges have broadly welcomed the promise of regulatory simplification under HECI. Institutional stakeholders consistently highlight the need for:
- Time-bound and predictable approvals
- Reduced inspection-based compliance
- Integrated digital platforms
- Transparent criteria for graded autonomy [27]

Autonomous and research-intensive institutions, in particular, view accreditation-linked autonomy as an opportunity to expand interdisciplinary programmes, international collaborations and flexible curricula.

9.2 Concerns of Smaller and Rural Institutions

However, institutional responses are far from uniform. Smaller, rural and resource-constrained colleges express concerns that uniform regulatory benchmarks may accelerate marginalisation or closure rather than improvement [28].

These institutions often lack:
- Qualified faculty in specialised disciplines
- Digital infrastructure for continuous self-disclosure
- Administrative capacity to engage with complex accreditation frameworks

Without differentiated regulation and mentoring support, HECI's emphasis on outcomes may inadvertently reinforce existing hierarchies within the higher education system [29].

9.3 Faculty and Academic Staff Perspectives

Faculty associations have raised concerns regarding academic autonomy, employment security and governance participation. The shift toward outcome-based metrics and performance-linked funding has generated apprehension that teaching and research may become increasingly instrumentalised [30].

Moreover, slow recruitment processes, contractual services and uneven service conditions across institutions present structural constraints that regulatory reform alone cannot resolve.

10. Funding Architecture and Equity Implications

10.1 The Role of the Higher Education Grants Council (HEGC)

The proposed Higher Education Grants Council (HEGC) is tasked with allocating public funding in a manner that balances baseline equity with performance incentives. This marks a departure from historically incremental funding models based largely on legacy allocations [21].

In principle, HEGC is expected to:
- Support institutional capacity-building
- Incentivise quality improvement
- Promote access and inclusion
- Align funding with national development priorities

10.2 Risks of Performance-Linked Funding

While performance-based funding mechanisms are widely used internationally, evidence suggests that they can produce unintended consequences if applied without contextual sensitivity [6][31].
In the Indian context, performance metrics may:
- Penalise institutions serving disadvantaged regions or populations
- Privilege already well-resourced universities
- Narrow institutional missions toward measurable outputs

To mitigate these risks, funding frameworks must incorporate context-adjusted indicators and long-term developmental support rather than short-term competitive allocations [32].

10.3 Achieving Equity alongside Expansion

NEP 2020 sets an ambitious target of achieving a Gross Enrolment Ratio (GER) of 50% by 2035. Meeting this target requires sustained public investment, particularly in State universities and colleges that serve first-generation learners [1].

Without adequate decentralisation and predictable funding flows, regulatory reform risks becoming disconnected from expansion and equity objectives.

11. Accreditation Expansion and Capacity Constraints

11.1 Universal Accreditation Mandate

NEP 2020 mandates that all higher education institutions be accredited by 2035. At present, accreditation coverage remains below 40%, reflecting significant capacity constraints within existing accreditation agencies [20][33].

The creation of the National Accreditation Council (NAC) seeks to address this gap by consolidating accreditation functions and expanding assessment capacity.

11.2 Challenges of Scaling Quality Assurance

Scaling accreditation poses both logistical and conceptual challenges. Rapid expansion risks diluting assessment rigor, while overly complex frameworks may overwhelm institutions with limited preparedness [34].

International experience underscores the importance of:
- Simplified accreditation cycles
- Risk-based assessments
- Capacity-building-oriented evaluation
- Peer learning and mentoring mechanisms [6]

In the absence of these safeguards, universal accreditation may become a procedural exercise rather than a driver of genuine quality enhancement.

12. Implications for Academic Diversity and Pluralism

A recurring concern in governance reform debates is the potential tension between standardisation and academic diversity. While national qualification frameworks promote comparability, excessive uniformity may constrain curricular innovation and epistemic plurality [35].

India's higher education system encompasses a wide range of institutional missions, disciplinary traditions and linguistic contexts. Preserving this diversity while ensuring minimum quality standards represents one of HECI's most delicate governance challenges.

13. Comparative International Perspectives on Higher Education Governance

13.1 Global Trends in Regulatory Reform

Over the past two decades, higher education governance systems worldwide have undergone significant restructuring in response to massification, fiscal pressures, global rankings and labour-market volatility. A common trend has been the movement away from discipline-specific, input-oriented regulation toward functionally differentiated governance models emphasising quality assurance, accountability and institutional autonomy [6][36].

Countries such as the United Kingdom, Australia and New Zealand have adopted regulatory architectures in which accreditation, funding and academic standards are institutionally separated. These systems typically rely on risk-based oversight, performance monitoring and data-driven decision-making rather than routine inspections [37].

The HECI model aligns conceptually with these trends, particularly in its emphasis on accreditation-linked autonomy and digital governance. However, the applicability of these models to India's scale and diversity remains contested.

13.2 Centralised Coordination versus Institutional Autonomy

In the United Kingdom, the Office for Students operates as a central regulator but grants substantial autonomy to institutions that demonstrate financial and academic sustainability [38]. Similarly, Australia's Tertiary Education Quality and Standards Agency (TEQSA) uses proportional regulation, intensifying oversight only where risks are identified [39].

In contrast, the United States follows a decentralised, market-oriented model in which accreditation agencies operate independently of the federal government and state authority varies widely [40].

India's proposed HECI framework represents a hybrid model: centrally coordinated but operationally differentiated. While this may enhance coherence, the risks of regulatory overreach are amplified in a federal system where institutional capacity and fiscal resources vary sharply across regions.

13.3 Lessons for India

Comparative evidence suggests three key lessons relevant to HECI implementation:
1) **Capacity precedes accountability**: Governance reform is most effective when institutional capacity-building accompanies regulatory tightening [6].
2) **Differentiation is essential**: Uniform regulatory expectations in diverse systems tend to exacerbate inequality [41].
3) **Trust-based regulation matters**: Systems relying excessively on metrics and surveillance often undermine academic motivation and innovation [42].

These lessons underscore the importance of sequencing, flexibility and institutional support in India's reform trajectory.

14. Discussion: Interpreting the HECI Reform in Context

14.1 HECI as a Governance Shift, Not Merely an Institutional Merger

The analysis suggests that the HECI Bill, 2025 should be understood not simply as a replacement of the UGC but as a reconfiguration of regulatory philosophy. Its emphasis on functional separation, accreditation-linked autonomy and digital self-disclosure reflects a shift away from command-and-control regulation toward outcome-oriented governance [1][9].

However, governance reform of this magnitude is inherently path-dependent. Legacy practices, institutional habits and bureaucratic incentives will shape how HECI functions in practice, regardless of legislative intent [43].

14.2 Federalism as the Central Fault Line

Among all implementation challenges, Centre–State relations emerge as the most critical. Given that States bear primary responsibility for financing and administering higher education, regulatory reform without fiscal alignment risks generating compliance fatigue and political resistance [26][44].

International literature on federal systems highlights that successful national coordination requires shared ownership of reform objectives, not merely statutory authority [45]. For HECI, this implies sustained intergovernmental dialogue, negotiated standards and transparent funding commitments.

14.3 Digital Governance: Promise and Peril

The reliance on integrated data systems represents both a strength and vulnerability of the HECI framework. While continuous visibility can improve transparency and reduce discretion, it may also incentivise metric-driven behaviour and narrow academic priorities [22][46].

Safeguards for data integrity, contextual interpretation and academic freedom will be essential if digital governance is to enhance rather than distort institutional behaviour.

14.4 Equity and Institutional Diversity

A recurring tension in the analysis concerns the balance between standardisation and diversity. While national qualification frameworks and accreditation norms promote comparability, excessive uniformity risks marginalising institutions serving disadvantaged populations or pursuing non-elite missions [29][35].

Without explicit equity-oriented design, accreditation-linked autonomy and performance-based funding may consolidate advantages among already well-resourced institutions.

15. Conclusion

The Higher Education Commission of India (HECI) Bill, 2025 represents one of the most ambitious attempts to restructure higher education governance in independent India. Emerging from the reform vision articulated in the National Education Policy 2020, the Bill seeks to replace a fragmented, input-driven regulatory regime with a unified yet functionally differentiated architecture emphasising transparency, accountability and outcomes.

This review paper has analysed the evolution, rationale, institutional design, stakeholder expectations and implementation challenges associated with the HECI proposal. The analysis suggests that while the Bill aligns with global governance trends and addresses long-standing deficiencies in India's regulatory framework, its effectiveness will depend less on legislative design than on implementation capacity, cooperative federalism and sustained public investment.

If operationalised with sensitivity to institutional diversity, regional disparities and capacity constraints, HECI has the potential to improve regulatory coherence and quality assurance. Conversely, if implemented in a centralised, metric-driven, or fiscally misaligned manner, it risks reproducing legacy inefficiencies in digital form.

Ultimately, the HECI reform should be evaluated not by its institutional novelty but by its ability to support quality, equity, academic freedom and public trust in one of the world's largest and most complex higher education systems.

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