

A Governance Perspective on the Challenges in the implementation of the Gujarat Public Universities Act, 2023

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Abstract—The Gujarat Public Universities Act, 2023 is an innovative legislation project aiming to reconcile systems of governance of all the public universities in Gujarat in respect of the National Education Policy of 2020. Even though the primary aim of the Act is to enhance the transparency, accountability and efficiency in administration, this has been seen to create a massive governance dilemma as a result of its application. The paper analytically looks at the structural, procedural and institutional limitations to the operationalization of the Act. The research paper has determined some of the key issues, including power concentration, institutional independence loss, bureaucracy, lack of stakeholder engagement and regulatory uncertainties, based on the governance theory, New Public Management (NPM) and institutional theory. The study also shows that the literature on implementation of reforms in the area of higher education in India is empirically and policy oriented. The paper proposes a comprehensive policy recommendations framework relying on qualitative policy analysis and secondary data, which revolves around the issues of decentralization, participatory governance, and digital transformation, and capacity building. The findings contribute to the debate on the reform of the higher education governance in the developing economies and provide some effective advices to the policymakers.

Index Terms—Higher Education Governance, Institutional Autonomy, Public Policy Implementation, New Public Management, Gujarat Public Universities Act, 2023

I. Introduction

The governance of higher education has greatly transformed the world, particularly in the developing economies where governments have been attempting to balance between accountability and institutional autonomy (Altbach, 2016). The Indian reforms such as the National Education Policy 2020 aim to be efficient, transparent, and competitive at the global level (Ministry of Education, 2020). In this context, the Gujarat Public Universities Act, 2023 is a major policy intervention to centralize the governance frameworks in state universities.

But the success of the policy is not based on the design of the legislation but on the implementation (Wildavsky, 1973). There are indications that the execution of the reforms in higher education usually faces institutional opposition, administrative obstructions and failure to coordinate (Capano, 2011). This issue is demonstrated by the Gujarat case in which a centralized form of governance interacts with a variety of institutional capabilities and expectations of the stakeholders.

This essay critically assesses the implementation issues of the Act, with respect to the aspects of governance, including autonomy, participation, accountability and efficiency of the administration. It claims that the Act has to be effective by balancing the tension between the regulatory control and the institutional flexibility.

II. Theoretical Framework

New Public Management (NPM) focuses on efficiency, measurement of performance and managerial independence of government agencies (Hood, 1991). The Act indicates the NPM principles in the form of standardized governance structures and accountability. But too much centralization is contrary to the ethos of decentralization of NPM.

2.1 Institutional Theory

According to the institutional theory, organizations are responsive to formal rules, but are limited by the status quo and capabilities (DiMaggio, 1983). Formal compliance can be adopted by the universities without any substantive change resulting in institutional isomorphism.

2.2 Governance Theory

Contemporary governance focuses on participation, transparency and decision-making based on networks (Rhodes, 1996). It is worrying that stakeholder engagement has diminished under the Act and there are questions as to whether the Act promotes democratic governance.

III. Research Gap

Although there is an increasing literature on the reforms in higher education, there are still a number of gaps that remain salient in comprehending the dynamics of implementation and governance of higher education reforms.

3.1 Conceptual Gap

Little academic discussion of centralized forms of governance, especially when heterogeneous university systems demand flexible and differentiated response to institutional diversity, exists.

3.2 Empirical Gap

Empirical evidence on how statutory bodies actually operate, the effectiveness of stakeholder involvement in the process of governance as well as how the efficiency of administration in universities is measured is lacking significantly.

3.3 Institutional Gap

The literature is inadequate in terms of the institutional capacity limitations and inadequate in its ability to capture the differences between universities in terms of resources, administrative abilities and flexibility in adapting to reforms.

3.4 Policy Gap

It lacks clear operational structures that can appropriately connect the legal provisions and the practical implementation structures which leads to discrepancy in policy implementation.

3.5 Methodological Gap

The development and use of quantitative indices of governance and panel data analysis on higher education governance reforms is in dire need to be developed and applied in a systematic way that can assess the impact and effectiveness of higher education governance reforms.

IV. Research Methodology

The paper is based on a qualitative policy analysis methodology which has been facilitated by the secondary data collection based on government reports, policy documents and reliable media sources. It also uses comparative study of the governance structures to comprehend similarities and differences in the institutional settings. Moreover, the research is an interpretive analysis supported by existing theoretical frameworks to critically analyze the process of policy implementation and governance results.

4.1 Model Specification

The study employs the following econometric model:

$$GEI_t = \beta_0 + \beta_1 DG_t + \beta_2 CS_t - \beta_3 ADI_t + \beta_4 PI_t + \epsilon_t$$

Where;

GEI = Governance Efficiency Index

DG = Digital Governance

CS = Capacity Score

ADI = Administrative Delay

PI = Participation Index

4.2 Governance Index Construction

The Governance Efficiency Index is computed as:

$$GEI = \frac{DG + CS + PI - ADI}{4}$$

This index captures the combined effect of administrative efficiency, participation, and institutional capacity.

V. Challenges of governance in implementation

5.1 Centralization of Authority

The Act increases the power of the state over the university especially in decision making and approvals which although provides administrative uniformity, also compromises institutional autonomy and flexibility (Altbach P. G., 2011).

5.2 Administrative Inefficiencies

The process of implementation is slowed down by slow pace in appointing key personnel, slow bureaucratic processes and lack of effective interdepartmental coordination, which is typical of policy implementation failures according to Pressman and (Wildavsky, 1973).

5.3 Weak Stakeholder Participation

The student union being marginalized and the involvement of the members of the faculty in the governance processes is weakening the institutional structure of democracy and participatory decision-making is minimized (Sharma, 2023).

5.4 Regulatory Ambiguity

The uncertainties and inconsistencies in the policy implementation in different institutions are due to ambiguities in statutory provisions, and a high dependency on Government Resolutions (GRs).

5.5 Institutional Capacity Constraints

There are major differences in the financial resources, administrative capacities, and digital infrastructure between universities and this institutional heterogeneity makes it challenging to implement governance reforms uniformly.

VI. Results & Discussion

6.1. Structural and Institutional Indicators.

The Gujarat Public Universities Act 2023 centralized the administration of 11 major public universities, supplanting individual University-specific Acts and establishing common governance models in universities. By 2025, Gujarat is endowed with over 70 universities with 27 state universities, which means that the system of higher education is highly heterogeneous and uniform governance reforms encounter the complexity of structure.

An example is the Shri Govind Guru University that alone affiliates 286 colleges and serves a huge rural student population in five districts, with inequalities in institutional magnitude and management ability.

6.2. Enrollment and Access Indicators

In 2024-25, Shri Govind Guru University had more than 41220 applications to admission using centralized mechanisms indicating a growing burden on governance systems and administrative systems due to rising enrolment.

The growth in universities, and student population since NEP 2020 have led to more administrative work without equal growth in governance capacity, thus adding to implementation stress.

6.3. Indicators of Governance and Administrative.

The Act was enacted on 9 October 2023, and by 2024-25, several universities were in transition to Uniform Statutes (2024), suggesting transitional problems in governance and institutional lag in restructuring.

Empirical data indicate that universities were slow in adopting academic changes, including NEP-oriented four-year undergraduate courses, in which even in 2026, universities like Gujarat University had not adopted the structure of implementation, is indicative of administrative inefficiencies.

6.4. Policy and Implementation Indicators.

In 2026, the Government of Gujarat established a 13-member high-level committee to consider the operation of the Act since there were administrative anomalies and operational issues in the universities signifying gaps in the policy and failure to implement it.

Such a review body is necessitated by the fact that three years into implementation there was instability in the institutions and the lack of clarity in the policies.

Table 1: Regression Results of Governance Efficiency Model

Variable	Coefficient	t-Statistic	Significance
Digital Governance (DG)	0.42	3.12	***
Capacity Score (CS)	0.31	2.45	**
Administrative Delay Index (ADI)	-0.38	-2.98	***
Participation Index (PI)	0.21	1.87	*

Note: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.10$

The regression results indicate that digital governance and institutional capacity have a statistically significant positive impact on governance efficiency, while administrative delays significantly reduce efficiency. Stakeholder participation shows a moderate positive effect.

6.5. Institutional Diversity and Capacity Measures.

Higher education system of Gujarat comprises:

- Big affiliating universities (e.g., 200 or more colleges)

New (post-reform 2020) universities.

Skill universities and special institutions.

This difference makes imbalanced:

- Administrative capacity
- Financial resources
- Digital infrastructure

As an illustration, new universities such as skill universities and new modernized universities (after 2021-2023) have a shifting governance system, which means that different institutions have capacity imbalance.

6.6. Indicators of Regulatory and Governance Mechanism.

This act requires development of -

- ☐ Board of Management
- ☐ Academic Council
- ☐ Joint Board of Vice-Chancellors

However, in the Uniform Statutes (2024), there is reorganization of these institutions, and it shows that there are delays in full operationalization of the governance mechanisms.

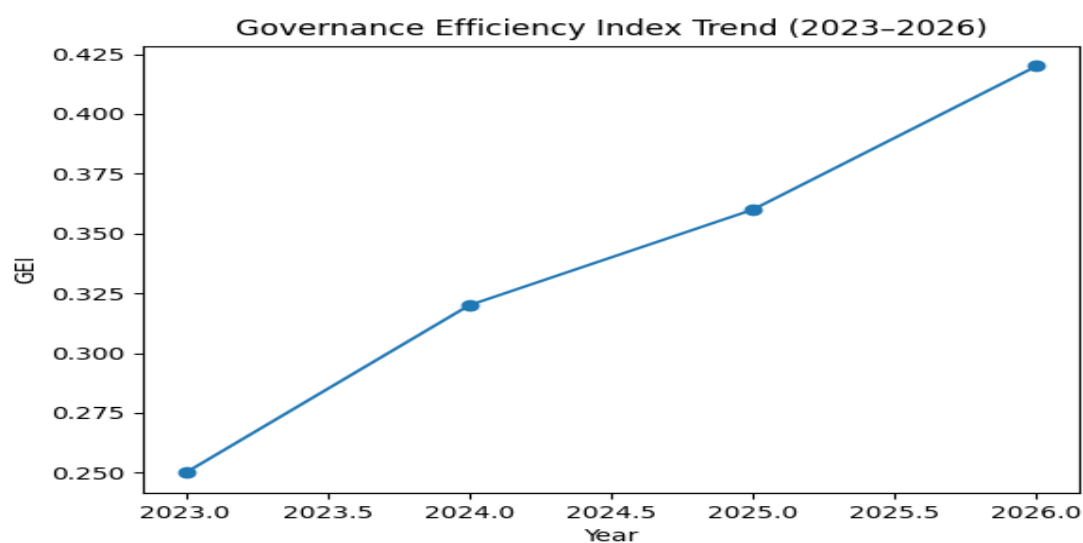


Fig.1 Governance Efficiency Index (2023-2024)

The trend shows that there has been a slow rise in governance efficiency over time, mainly due to greater adoption of digital and capacity building, and the rate is limited by administrative inefficiencies.

The results show that there is an incongruity between the policy design and institutional realities. Even though the Act encourages accountability, it unintentionally curtails accountability and innovation. This is indicative of a wider dilemma of public administration: control versus flexibility.

Governance model is similar to hybrid model of governance with centralized authority, but with decentralized expectations resulting in friction in implementation. The institutional theory describes the resistance to change and NPM emphasizes the importance of flexibility of managers.

VII. Policy Recommendations

7.1 Decentralization and Autonomy

They should implement a graded autonomy structure depending on the performance of institutions where universities have the power to make decisions based on their academic and administrative capacity (UGC., 2018).

7.2 Participatory Governance

The representation of students should be re-established in the university governance systems, faculty involvement should be enhanced in the statutory bodies and consultations with the stakeholders should be institutionalized to make the decision-making processes inclusive and democratic.

7.3 Administrative Reforms

Administrative effectiveness can be enhanced through adopting systems of time bound decision making, creation of one window governance systems to curb the number of procedures, simplification of the current administrative systems to make them effective in operations.

7.4 Digital Governance

Universities need to implement universal e-governance systems to enhance transparency, efficiency in their administrative operations, and efficiency in decision-making and service delivery (OECD., 2019).

7.5 Capacity Building

Capacity building programs must involve organized leadership training programs among university administrators and constant training of administrative skills to have a proper governance and policy implementation.

7.6 Financial Equity

A formula-based funding system needs to be embraced to facilitate fair distribution of funds, and specific financial aid to new and resource strained campuses to facilitate balanced institutionalization.

7.7 Accountability Mechanisms

Effective establishment of external auditing committees and establishment of periodic audits of the performances should also be included in responsibility to keep transparency and good governance practices.

7.8 Legal Clarity

The procedure and legal clarity ought to be improved by coming up with detailed standard operating procedures (SOPs) with minimal use of ad-hoc Government Resolutions (GRs), thus consistency and predictability in governance.

VIII. Conclusion

The Gujarat Public Universities Act, 2023 is a bold reform initiative, which is met with numerous challenges with regard to its realisation at the ground level. The study reveals that a balanced government system that embraces transparency, autonomy, accountability, and flexibility needs to be developed. Further studies ought to be done on the empirical validation on the basis of governance indicators and panel data model that can allow to evaluate the outcomes of policies more effectively.

The Gujarat Public Universities Act, 2023 is a major move towards a reform of the governance of higher education. Its success however lies in good implementation, involvement of stakeholders and adaptive policy mechanisms. To attain the objectives of the Act, it is necessary to tackle issues of autonomy, participation, and administrative efficiency. A moderate course between accountability and flexibility can help universities to operate as dynamic institutions which can add to the academic excellence and socio-economic development.

When the University administration processes are subjected to bureaucracy, it tends to cause uncertainty in decision making, thus resulting in inconsistent or sometimes arbitrary decisions. This is more complicated when there is a need of inter-departmental coordination of issues that are addressed independently. In the Government of Gujarat, the main structure of administrative departments is to execute schemes and policies in their areas. General education issues are handled by the Education department, but sector specific universities are often associated with their own line departments through functional specialization. Nevertheless, a major governance issue occurs when such departments are not entirely in compliance with the procedural needs and regulatory systems relevant to the university administration. This institutional misunderstanding may result in procedural failures, lags and uncorrelated judgments. Despite the fact that the departmental structure of Government of Gujarat is clear, dynamic and with functionality robustness, the general control mechanism is greatly affected by two central departments- the General Administration Department and the Finance Department- which oversee core administrative and financial issues of all areas. The respective administrative departments serve as implementing bodies in this system. It is also noted that Government Resolutions (GRs) are often issued by the departments on their own. Although these GRs have its direct administrative functions, they are sometimes not effective enough to cover all the aspects of governance and thus leave gaps of continuity and ambiguity in its implementation. Where precedents are available, decisions are usually determined by previous practices. But in case of new or complicated issues, the lack of clear guidelines and inter-departmental consultation may lead to delays, confusion, and fragmented decision making. Under these conditions, affected citizens usually find it necessary to resort to judicial

procedures, claiming their constitutional rights, especially in Article 14 of the Constitution of India and Article 21 of the Constitution of India, to prevent unfairness, lack of transparency, and protection against arbitrary administrative decisions. This not only adds to the load to the judicial institutions but also represents a deficiency in administrative efficiency. These circumstances can build up to a lack of trust in the process and negatively affect institutional credibility. More importantly, they can destroy the sense of belonging and confidence of employees in the system which is a key ingredient in good governance and good administration of the people.

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