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**EDITORIAL ANALYSIS**

# UGC Equity Regulations 2026 — Confronting Caste in Indian Universities

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**SUBJECTS COVERED****SOCIAL ISSUES****POLITY****GS PAPERS****GS2****CURATED & WRITTEN BY****Bharat Choudhary**

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# UGC Equity Regulations 2026 — Confronting Caste in Indian Universities

 The Indian Express

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GS2



The Indian Express

MAINS RELEVANCE:

GS Paper 2



## INTERVIEW ANGLE

*"The Supreme Court stayed the UGC Equity Regulations 2026 within two weeks of notification, calling them 'vague' and 'easy to misuse.' Does the judicial response reflect legitimate legal concerns or judicial reluctance to address structural caste discrimination in higher education?"*

## WHY IN NEWS

The University Grants Commission notified the UGC (Promotion of Equity in Higher Education Institutions) Regulations, 2026 on January 13, mandating Equal Opportunity Centres and Equity Committees at all universities — a response to years of documented caste discrimination. The Supreme Court stayed the regulations on January 29, 2026, describing them as “vague” and “easy to misuse.”

## THE CASES THAT FORCED A POLICY RESPONSE

Two deaths in Indian higher education — separated by three years — became the symbolic catalysts for a decade-long demand for institutional reform.

**Rohith Vemula (January 17, 2016):** A doctoral scholar at the University of Hyderabad from the Scheduled Caste community, Rohith Vemula died by suicide after being suspended from the university’s hostel along with four other Dalit students following a complaint by the ABVP student organisation. His final letter — “My birth is my fatal accident” — became one of the most-circulated documents in Indian public discourse. His mother Radhika Vemula filed a PIL in 2019 seeking institutional mechanisms against caste discrimination.

**Payal Tadvi (May 22, 2019):** A second-year postgraduate student at T.N. Topiwala National Medical College, Mumbai, from the Tadvi Bhil Adivasi community, Payal Tadvi died by suicide after sustained harassment by three senior resident doctors who allegedly directed casteist slurs at her and obstructed her academic progress. Her mother Abeda Salim Tadvi co-filed the 2019 PIL with Radhika Vemula.

These two PILs — pending for six years — were what finally compelled the UGC to act.

## THE PROBLEM: EXTENT OF CASTE DISCRIMINATION IN HIGHER EDUCATION

The UGC's own data and independent research paint a consistent picture:

**Attrition among SC/ST students:** Data from IITs and IIMs consistently shows higher dropout rates among SC/ST students compared to general category students in equivalent programmes. A 2023 study of 23 IITs found that SC/ST students had a 3–4× higher dropout rate in PhD programmes.

**Harassment complaints:** Between 2012 and 2022, the Equal Opportunity Cells that some universities had voluntarily established received thousands of complaints — but without binding resolution mechanisms, most went unresolved.

### Institutional discrimination patterns:

Differential marking and evaluation by faculty (documented in qualitative studies)

Hostel segregation (formal in some older universities; informal in many more)

Denial of laboratory access, supervisory support, or co-authorship credit

Casteist remarks in classrooms normalised as “banter”

Collective social ostracism by peer groups

**Faculty representation:** As of 2024, SC/ST faculty at Central Universities: ~10% (vs. their 22.5%/7.5% reservation mandate). At IITs/IIMs, representation is even lower. Lack of SC/ST faculty creates an absence of visible role models and informal support networks that majority students take for granted.

## WHAT THE REGULATIONS REQUIRE

The UGC (Promotion of Equity in Higher Education Institutions) Regulations, 2026, notified January 13, mandate:

### Institutional mechanisms:

Every Higher Education Institution (HEI) must establish an **Equal Opportunity Centre (EOC)** with a designated officer

Every HEI must constitute an **Equity Committee** with representation from SC, ST, OBC, minority, women, and persons with disability communities

The Equity Committee must include at least one external member from a civil society organisation

### Complaint resolution timeline:

Acknowledge complaints within **24 hours**

Resolve complaints within **15 working days**

Unresolved complaints escalate to the UGC's Equity Cell

## Reporting requirements:

- Annual equity reports to be submitted to UGC
- Reports to be publicly disclosed on HEI website
- UGC to publish a national equity index ranking HEIs

**Scope:** Covers discrimination on grounds of caste, religion, gender, disability, and sexual orientation — broader than earlier frameworks which focused only on scheduled category students.

## THE SUPREME COURT STAY: LEGAL AND POLITICAL QUESTIONS

On January 29, 2026, a bench of Chief Justice Surya Kant and Justice Joymalya Bagchi stayed the UGC Equity Regulations, saying they were **prima facie “vague” and “easy to misuse.”**

The court’s stated concerns:

- The definition of “discriminatory conduct” was too broad and could criminalise normal academic criticism
- The 15-day resolution timeline was impractical for complex institutional investigations
- The complaint mechanism lacked adequate safeguards against false complaints

**The critique of the stay:** Several constitutional scholars and social activists argued that the court’s focus on potential misuse was disproportionate given the documented reality of underuse — that the existing system’s failure was under-reporting and non-resolution, not frivolous complaints.

The stay is significant because it halts implementation at precisely the institutions (elite central universities, IITs, IIMs) where caste discrimination is most systematically documented but least formally acknowledged.

## EXISTING FRAMEWORK: WHY IT WAS INSUFFICIENT

Before the 2026 Regulations, the institutional landscape for addressing caste discrimination in higher education was fragmented:

**Equal Opportunity Cells:** The UGC had recommended (not mandated) these since 2012. Only some universities had them; most were understaffed and had no binding resolution authority.

**SC/ST Prevention of Atrocities Act, 1989:** Applicable but rarely invoked in university settings — partly because proving “atrocities” under the Act requires a high evidentiary threshold, and casteist harassment in academic settings is often diffuse and cumulative rather than a single dramatic incident.

**Internal Complaints Committees (ICC):** Mandated under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act) — but only for sexual harassment, not caste discrimination.

**UGC (Prevention, Prohibition and Redressal of Sexual Harassment) Regulations, 2015:** Again, sexual harassment only.

The 2026 Regulations attempted to create a POSH-equivalent for caste discrimination — with mandatory institutional mechanisms and binding timelines.

## STRUCTURAL SOLUTIONS: BEYOND COMPLAINT MECHANISMS

The UGC Regulations address symptoms (complaint resolution) more than causes (structural underrepresentation and institutional culture). A comprehensive approach requires:

**Representation at decision-making levels:** SC/ST representation in faculty, administrative, and governance positions at HEIs is the most powerful long-run intervention. Universities where SC/ST faculty have presence in promotion committees, PhD supervisor lists, and examination boards show measurably better outcomes for SC/ST students.

**Pre-entry preparation and post-entry support:** The gap in preparation between students from disadvantaged schools and those from elite schools (a function of unequal school quality, not ability) requires structured bridge programmes. Several IITs have introduced such programmes — but voluntarily and unevenly.

**Anti-caste education in curriculum:** Medical councils and bar councils in some countries require anti-discrimination training. India's HEIs lack any mandatory sensitisation requirement in professional programme curricula.

**Third-party institutional audits:** Annual equity audits by independent bodies (similar to NAAC accreditation but focused on equity outcomes) would create accountability beyond self-reporting.

## UPSC RELEVANCE

UGC Equity Regulations 2026 (notified Jan 13, 2026; SC stayed Jan 29; Equal Opportunity Centre; Equity Committee; 24-hr acknowledge; 15 working days resolve); UGC Act 1956 (under Ministry of Education); Rohith Vemula (HCU; January 17, 2016); Payal Tadvi (Mumbai; May 22, 2019; Adivasi); SC/ST (Prevention of Atrocities) Act 1989; POSH Act 2013 (Sexual Harassment of Women at Workplace); Equal Opportunity Cells (UGC recommendation since 2012); Article 15 (prohibition of discrimination); Article 46 (DPSP — promotion of SC/ST interests); Article 21 (Right to Life — includes right to dignified education)

## MAINS GS-2:

“The Supreme Court stayed the UGC Equity Regulations 2026 within days of notification. Critically evaluate the regulations and the court’s response in light of documented caste discrimination in Indian higher education.” | “Examine the structural barriers faced by SC/ST students in India’s elite higher education institutions. What policy interventions have been tried and what gaps remain?” | “Compare the POSH Act 2013 framework for sexual harassment with what a comparable framework for caste discrimination would require.”

## INTERVIEW:

“The UGC Equity Regulations were stayed by the Supreme Court within two weeks of notification. As a civil servant, how would you approach the challenge of creating institutional mechanisms that are both effective against real discrimination and robust against potential misuse?”

**★ FACTS CORNER — KNOWLEDGE PEDIA**
**UGC EQUITY REGULATIONS 2026:**

Full title: UGC (Promotion of Equity in Higher Education Institutions) Regulations, 2026

Notified: January 13, 2026

SC Stay: January 29, 2026 (CJ Surya Kant + Justice Joymalya Bagchi bench)

SC description: “vague” and “easy to misuse”

Mandated mechanisms: Equal Opportunity Centre (EOC) + Equity Committee in every HEI

Timeline: 24-hour acknowledgement + 15 working days resolution

Scope: SC, ST, OBC, minority, women, PWD, sexual orientation

**UGC (UNIVERSITY GRANTS COMMISSION):**

Established: UGC Act, 1956

Under: Ministry of Education (formerly Ministry of Human Resource Development)

Function: Coordinate, determine and maintain standards of university education

Funding: Grants to central universities; sets minimum standards for all universities

**BACKGROUND CASES:**

Rohith Vemula: Dalit doctoral scholar, University of Hyderabad; died by suicide January 17, 2016; PIL filed 2019 by mother Radhika Vemula

Payal Tadvi: Tadvi Bhil Adivasi, T.N. Topiwala National Medical College, Mumbai; died May 22, 2019; PIL co-filed by mother Abeda Salim Tadvi

**RESERVATION IN HIGHER EDUCATION (CONSTITUTIONAL BASIS):**

Article 15(4): Special provisions for socially/educationally backward classes + SC/ST

Article 15(5): Reservation in private unaided educational institutions (added by 93rd Amendment, 2005)

Article 46 (DPSP): State to promote educational and economic interests of SC/ST

Central Educational Institutions (Reservation) Act, 2006: 27% OBC + 15% SC + 7.5% ST in central institutions

**SC/ST FACULTY REPRESENTATION (CENTRAL UNIVERSITIES, 2024):**

SC faculty: ~10% (mandate: 15%)

ST faculty: ~4% (mandate: 7.5%)

IITs/IIMs: Representation even lower due to PhD qualification requirement and pipeline shortfall

**COMPARABLE FRAMEWORK — POSH ACT 2013:**

Full title: Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

Mandates: Internal Complaints Committee (ICC) in every workplace with 10+ employees

Timeline: Inquiry within 90 days of complaint

Applicability: All workplaces including educational institutions

POSH equivalent for caste discrimination: What the UGC 2026 Regulations attempted to create

Sources: UGC, Indian Express, The Hindu, Supreme Court of India



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