STUDY NOTES · BASIC CONCEPT

Why UGC Regulations are being opposed? What provisions does they contain?

Polity & Governance

26 Jan 2028

Background

The University Grants Commission's (UGC) "Promotion of Equity in Higher Education Institutions Regulations, 2026" has ignited widespread protests, a Public Interest Litigation (PIL) in the Supreme Court, and a heated debate over the law's intended beneficiaries.

These regulations, notified on January 13, 2026, aim to curb caste-based discrimination in colleges and universities by establishing Equal Opportunity Centres, Equity Committees, grievance redressal mechanisms, monitoring teams, and 24x7 helplines. Institutions failing to comply risk penalties, including withdrawal of UGC recognition and funding.

The UGC's move stems from a 2019 PIL filed by the mothers of Rohith Vemula and Payal Tadvi, who allegedly died by suicide due to caste-based discrimination on campuses. The Supreme Court had pressed the UGC to create a robust mechanism to address such issues, citing a significant increase in caste discrimination complaints between 2020 and 2025. However, the new regulations have faced substantial pushback, primarily from "general category" students and some faculty members, who argue they are discriminatory and prone to misuse.

Key areas of concerns include

1. "**Reverse Discrimination**" : Critics allege that Regulation 3(c), which defines "caste-based discrimination" as discriminatio only against Scheduled Castes (SC), Scheduled Tribes (ST), and Other Backward Classes (OBC), is "non-inclusionary" and denies protection to general category students who might also face caste-based harassment. Protesters argue this will lead to "reverse-discrimination".

2. **Lack of Safeguards Against False Complaints** : A significant concern is the absence of clear provisions to address false or malicious complaints, with critics stating that the burden of proof is shifted entirely onto the accused. A previous draft in February 2025 had included penalties for false complaints, but this was removed in the final version.
3. **Vague Definitions and Excessive Powers** : Students and faculty have raised concerns about vague definitions of discrimination and the potentially excessive powers granted to "Equity Squads," leading to fears of constant surveillance on campuses.
4. **Lack of Consultation and Representation** : Protesting students claim the regulations were introduced without adequate consultation. Issues have also been raised regarding the low, vague, and inadequately defined representation of SC, ST, OBC, and women in the Equity Committees, particularly among faculty and students. The lack of mandatory representation from the general category on these committees has also been criticized.
5. **Political Implications** : The controversy has political ramifications, placing the ruling party in a dilemma between its traditional upper-caste support base and the need to retain Dalit and OBC voters. A BJP leader in Uttar Pradesh reportedly resigned over the OBC clause.

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Public Response

A PIL has been filed in the Supreme Court challenging the constitutional validity of Regulation 3(c) of the 2026 regulations. The petitioner, advocate Vineet Jindal, argues that the provision is arbitrary, discriminatory, and unconstitutional because its "exclusionary form" denies grievance redressal and institutional protection to individuals from non-SC/ST/OBC categories.

The plea seeks a caste-neutral definition of discrimination to ensure protection for all individuals regardless of their caste identity and demands that Equal Opportunity Centres and other mechanisms be made available in a non-discriminatory manner.

Union Education Minister Dharmendra Pradhan has sought to allay fears, stating that there will be no discrimination in the implementation of the rules and that no one will be allowed to misuse the guidelines. He assured that the system would operate within the constitutional framework, ensuring no injustice or oppression. Despite these assurances, protests have intensified across several states, including Delhi, Uttar Pradesh, and

Madhya Pradesh, with calls for a complete rollback of the regulations.

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