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## UGC REGULATIONS 2026: A JUSTIFIED REFORM WITH UNRESOLVED EQUITY CONCERNS

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Gowthami PG, Law Student , Amity University, Mumbai

### ABSTRACT

*The UGC Regulations 2026 mark a significant step toward strengthening equity and inclusion within India's higher education system. Introduced in alignment with the National Education Policy 2020, these regulations aim to prevent discrimination on grounds such as caste, gender, religion, disability, and other social identities. Key mechanisms, including the establishment of Equal Opportunity Centres, Equity Committees, and structured complaint redressal systems, reflect a proactive approach to ensuring institutional accountability and student protection. However, despite their progressive intent, the regulations have generated considerable debate. Concerns have been raised regarding definitional inconsistencies, particularly in relation to caste-based discrimination, as well as the limited representation of certain groups within decision-making bodies. Additionally, the absence of clear safeguards against false or malicious complaints highlights potential challenges in implementation. The intervention of the Supreme Court further underscores the complexity and sensitivity of the issue. This paper critically examines whether the UGC Regulations 2026 successfully balance the goal of social justice with the principles of fairness and equality. While the framework represents an important reform, its effectiveness ultimately depends on addressing existing gaps and ensuring that the pursuit of inclusion does not inadvertently lead to new forms of exclusion.*

**Key Words:** - UGC Regulations 2026 ,Non-discrimination ,Inclusive Education, National Education Policy 2020,Equal Opportunity Centre (EOC), Equity Committee ,Equity Squad, Equity Ambassadors, Complaint Redressal Mechanism, Discrimination, Scheduled Castes (SC),Scheduled Tribes (ST),Other Backward Classes (OBC),Economically Weaker Sections (EWS),Persons with Disabilities (PwD)

## I. INTRODUCTION

Promotion of Equity in Higher Education Institutions. Regulations was notified on 13 January 2026, with UGC Regulations 2026<sup>1</sup> is a regulation notified by the University Grants Commission for the aim of replacing the earlier UGC 2012 regulations and creating a more inclusive and non-discriminatory environment in higher education. However, the Supreme Court stayed the implementation of these regulations on 29 January 2026 due to controversy. The UGC Regulations 2026 is notified in alignment with the National Education Policy 2020, which identifies complete equity and inclusion as the foundation of Education reforms. The main objective of the regulation is to ensure equality and prevent discrimination on grounds such as religion, caste, race, gender, place of birth, and disability, while also protecting disadvantaged groups like Scheduled Castes, Scheduled Tribes, Other Backward Classes, Economically Weaker Sections, and Persons With Disabilities. The regulations place a duty on all higher education institutions to promote equity, with the Head of the Institution being responsible for proper implementation. These measures collectively aim to create a structured, accountable, and transparent system within institutions, ensuring timely justice, institutional responsibility, and stronger safeguards against discrimination while promoting an inclusive academic environment.

## II. KEY FEATURES OF UGC REGULATIONS 2026

Every institution is required to establish an Equal Opportunity Centre (EOC) to address discrimination-related issues, spread awareness, support victims, and provide legal assistance. Under the EOC, an Equity Committee must be formed, consisting of the head of the institution, faculty, staff, students, civil society representatives, and members from marginalized groups, including SC/ST, OBC, women, and persons with disabilities. This committee is required to meet at least twice a year to review complaints and take necessary actions. Additionally, institutions must form Equity Squads to monitor campuses and prevent discrimination, and Equity Ambassadors to promote equality at the departmental level and report violations. The EOC is also required to publish reports twice a year to ensure transparency. The regulation provides a detailed complaint redressal mechanism, allowing complaints to be filed through online platforms, written applications, emails, or a 24/7 helpline, with the option of maintaining

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<sup>1</sup> University Grants Commission (Promotion of Equity in Higher Education Institutions) Regulations, 2026, notified on 13 January 2026.

confidentiality. Once a complaint is received, the Equity Committee must respond within 24 hours, complete the investigation within 15 days, and the institution must take action within the next 7 days; in cases involving criminal offences, the police must be informed immediately. Special provisions are included for cases where complaints are made against the head of the institution, which are then handled by higher authorities. An appeal can be made to the Ombudsman within 30 days, who has the authority to appoint legal assistance such as an *amicus curiae*. The UGC also monitors the implementation of these regulations through a National Monitoring Committee, requiring institutions to submit annual reports for evaluation. In cases of non-compliance, strict actions may be taken, including stopping funding, suspending academic programs, or withdrawing institutional recognition.

### III. CRITICISM & MAJOR CONCERN

Overall, the regulations aim to strengthen equity and inclusion in higher education, though their implementation remains uncertain due to the Supreme Court's stay. The main aim of the UGC Regulations, 2026 is to promote equity in higher education, however, they have sparked significant debate regarding their implementation and impact. These regulations emerged in the *Abedu Salim Tadvi and anr. v. Union of India* case, which is currently pending before the Supreme Court of India. The case was filed in 2019 by the parents of two students who allegedly committed suicide after facing caste-based discrimination, and the petition challenged the failure of authorities to effectively implement the earlier UGC Regulations of 2012. One of the major controversies surrounding the 2026 Regulations relates to Clause 3(c)<sup>2</sup>, which defines caste-based discrimination specifically as discrimination against members of Scheduled Castes, Scheduled Tribes, and Other Backward Classes. The petitioners have argued that the exclusion of the general category from this definition may lead to imbalance, potential harassment and reverse discrimination. In contemporary society, where discrimination in various forms still persists, there is undoubtedly a need for stronger and more effective regulations to ensure equity and inclusion across educational institutions. Can a law designed to promote equality end up creating new concerns of inequality? The UGC Regulations 2026 aim to build an inclusive higher education system, but their implementation has already sparked debate and judicial intervention. Although the measures introduced by the 2026 Regulations aim to address issues of

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<sup>2</sup> University Grants Commission (Promotion of Equity in Higher Education Institutions) Regulations, 2026, Reg. 3(c).

discrimination and inequality faced by disadvantaged groups, and their objective appears justified, certain concerns remain. These include the absence of representation of the general category in the Equity Committee, as well as the limited scope of Clause 3(c)<sup>3</sup>, which does not acknowledge discrimination beyond specified groups. Additionally, the regulations do not provide a clear mechanism to deal with false or malicious complaints, which could potentially lead to misuse and affect innocent individuals. Therefore, while the intent of the regulations is progressive and necessary, certain provisions require reconsideration and refinement to ensure fairness, balance, and effective implementation. Clause 3(e)<sup>4</sup> of the UGC Regulations, 2026 defines discrimination broadly to include discrimination on the grounds of religion, race, caste, gender, place of birth, disability, or any of these factors. However, when this provision is read alongside Clause 3(c)<sup>5</sup>, a lack of clarity and apparent contradiction emerges. While Clause 3(e)<sup>6</sup> adopts an inclusive and wide definition of discrimination, Clause 3(c)<sup>7</sup> restricts caste-based discrimination specifically to certain identified groups such as Scheduled Castes, Scheduled Tribes, and Other Backward Classes. This inconsistency creates confusion in interpretation and implementation. Such ambiguity also raises concerns in light of constitutional principles, particularly Article 14, which guarantees equality before the law, and Article 15, which prohibits discrimination on specified grounds. The regulations, though well-intentioned, can be further improved by clearly harmonising Clause 3(c) and Clause 3(e) to avoid conflicting interpretations. Additionally, including representation from the general category in the Equity Committee and introducing safeguards against false or malicious complaints would help ensure a more balanced, fair, and effective framework. These refinements would strengthen the regulation and make it more aligned with both practical realities and constitutional values.

#### IV. CONCLUSION

In conclusion, the UGC Regulations 2026 are a meaningful step towards creating a fair and inclusive environment in higher education. They show a strong effort to reduce discrimination and ensure that students from all backgrounds feel safe and supported. The introduction of

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<sup>3</sup> *Ibid.*

<sup>4</sup> University Grants Commission (Promotion of Equity in Higher Education Institutions) Regulations, 2026, Reg. 3(e).

<sup>5</sup> UGC regulations, 2026, *supra* note 1, Regulation 3(c).

<sup>6</sup> UGC regulations, 2026, *supra* note 3, Regulation 3(e).

<sup>7</sup> UGC regulations, 2026, *supra* note 1, Regulation 3(c).

systems like Equal Opportunity Centres and complaint mechanisms reflects a positive move towards accountability. However, some concerns still need to be addressed, such as unclear definitions, lack of balanced representation, and the absence of proper safeguards against misuse of complaints. These gaps may create confusion and affect the fair implementation of the rules. Therefore, it is important to review and improve these aspects to make the regulations more clear, balanced, and practical. With the right changes, the UGC Regulations 2026 can truly help in building a more equal, transparent, and trustworthy education system for all.