

5. Caste Discrimination- Polity

UGC brings out new rules against caste discrimination The UGC has notified the "Promotion of Equity in Higher Education Institutions Regulations, 2026" to curb caste-based discrimination, explicitly including Other Backward Classes (OBCs) for the first time alongside SCs and STs. The regulations mandate the establishment of Equal Opportunity Centres (EOCs) and remove penal provisions for false complaints to encourage reporting.

1. Context and Background

Notification- The University Grants Commission (UGC) has notified new regulations aimed at curbing caste-based discrimination in higher education institutions across India.

Title- The regulations are titled "Promotion of Equity in Higher Education Institutions Regulations, 2026."

Primary Objective- To strengthen the institutional framework, provide clearer definitions, and enforce stricter penalties to combat persistent reports of discrimination.

2. Evolution- From Draft to Final Regulations

The journey from the draft released in February 2024 to the final notification involved significant changes based on public feedback.

Feature	Draft Version (Feb 2024)	Final Regulations (2026)
Coverage	Excluded Other Backward Classes (OBCs) from the ambit of caste-based discrimination.	Explicitly includes OBCs, alongside SCs and STs.
Complaints	Proposed penalties to "discourage" false complaints, which critics argued would deter genuine grievances.	Removed provisions related to penalizing false complaints to encourage reporting.
Definition	Ambiguous definition of discrimination.	Expanded and clearer definition of discrimination.

3. Major Highlights of the Regulations

A. Scope and Coverage

Target Groups- The regulations specifically apply to Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs).

Significance- This marks a crucial shift by formally recognizing OBCs within the anti-discrimination framework for the first time in this manner.

B. Definition of Discrimination

Broad Scope- Defined as any unfair, differential, or biased treatment.

Grounds- Includes discrimination based on Religion, Race, Caste, Gender, Place of Birth, and Disability (individually or in combination).

Impact over Intent- The definition emphasizes the impact of the act rather than just the intent. It covers acts that nullify or impair equality of treatment in education.

Note on Omissions- The regulations omit specific prohibitions found in earlier 2012 rules, such as explicit bans on separate educational systems based on caste or religion.

C. Institutional Mechanisms

To ensure implementation, the regulations mandate specific bodies within institutions-

1. Equal Opportunity Centres (EOCs)

Mandate- Every higher education institution must establish an EOC.

Objectives

- a. Promote equity and equal opportunity.
- b. Foster social inclusion within campuses.
- c. Serve as the primary mechanism for addressing discrimination-related concerns.

1. Equity Committees

Structure- Constituted *under* the EOC.

Chairperson- Head of the Institution.

Representation- Must include representatives from OBCs, SCs, STs, Persons with Disabilities (PwD), and Women.

Frequency- The committee must meet at least twice a year to ensure regular review rather than ad-hoc functioning.

D. Reporting and Review Mechanisms

Bi-Annual Reports- EOCs must submit reports on their functioning twice a year.

Annual Reports- Institutions are required to submit detailed annual reports to the UGC.

Purpose- These reports enable the UGC to conduct periodic reviews and assess institutional compliance.

E. National-level Monitoring

The UGC will establish a National Monitoring Committee.

Composition- Representatives from

- a. Statutory professional councils.
- b. Commissions.
- c. Civil society organizations.

Functions

- a. Monitor the implementation of regulations.
- b. Examine specific issues of discrimination.
- c. Recommend preventive and corrective measures.

Meeting Frequency- Required to meet at least twice a year.

4. Enforcement and Penalties

For institutions found in non-compliance, the UGC holds the power to take severe actions-

Debarment- Stop institutions from receiving grants or participating in UGC schemes.

Prohibition- Ban them from offering degrees, distance learning, or online programs.

Derecognition- Remove the institution from the UGC's list of recognized higher education institutions.

5. Significance of the Regulations

Social Justice- Strengthens the framework for social justice within the education sector.

Constitutional Alignment- Aligns with mandates under Article 14 (Equality before law), Article 15 (Prohibition of discrimination), and Article 46 (Promotion of educational/economic interests of SCs, STs, and weaker sections).

Accountability- Enhances institutional accountability through a structured monitoring and sanctioning regime.

6. About the University Grants Commission (UGC)

Establishment- Established in 1956 as a statutory body.

Core Mandate- Provides funding, sets guidelines for academic programs, and promotes research.

Key Functions

- a. Accreditation- Grants recognition to universities.
- b. Funding- distinct financial assistance for development and research.
- c. Regulation- Sets quality standards for teaching, research, and infrastructure.
- d. Academic Growth- Encourages innovation and development of new curricula.

Conclusion

The Promotion of Equity in Higher Education Institutions Regulations, 2026 represents a significant step forward in institutionalizing equity. By including OBCs and removing deterrents against reporting, it improves normative coverage. However, its success will depend on robust monitoring, transparent reporting, and genuine institutional commitment beyond mere formal compliance.

Source- [https://www.thehindu.com/education/ugc-brings-out-new-rules-against-caste-discrimination/article70509660.ece#~~-](https://www.thehindu.com/education/ugc-brings-out-new-rules-against-caste-discrimination/article70509660.ece#~~-text=In%20the%20new%20regulations%2C%20the%20UGC%20mandates%20the%20setting%20up,committee%20is%20to%20be%20formed.)

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