

2. Student Suicides and HEI Functioning – Polity

The Supreme Court of India has issued directions to Central and State governments under Article 142 on Student Suicides and Higher Education Institutions (HEI) Functioning

Article 142 of the Indian Constitution– Meaning, Scope, and Relevance

Constitutional intent

1. Article 142 empowers the Supreme Court (SC) to pass any decree/order necessary for “complete justice” in any matter pending before it.
2. It is designed to prevent a situation where the Court identifies injustice but cannot effectively remedy it due to legal gaps, procedural limitations, or institutional inertia.

Textual core (Article 142(1))

1. The SC may pass decrees/orders to do complete justice.
2. Such orders are enforceable across India, in the manner prescribed by Parliament; until Parliament provides a law, enforcement is as directed by the President.

Article 142 is called an “extraordinary power”

1. It is not merely corrective (like appeals) but remedial + structural, enabling the Court to craft tailor-made solutions when ordinary law does not fully address the harm.
2. It is often used where
 - a. Public interest and fundamental rights are implicated
 - b. Institutional accountability is weak
 - c. The problem is systemic, not one-off

Practical significance in governance

Article 142 becomes a constitutional tool to

- a. Break administrative deadlock
- b. Ensure time-bound compliance
- c. Convert broad constitutional values (dignity, equality, welfare) into enforceable directions

Supreme Court’s Diagnosis– Major Structural Issues in Higher Education

1) Rapid Massification and Privatisation– Scale without Support

India’s higher education expanded rapidly (enrolment growth and institutional proliferation).

The SC highlighted that quantitative expansion has not been matched by

1. adequate faculty capacity
2. student support systems
3. institutional governance quality

Consequences flagged include

- a. student distress
- b. increased deaths/suicides
- c. chronic faculty shortages
- d. exploitative academic environments in some settings

2) Student Mental Health– “Epidemic” of Student Suicides

The Court noted student suicides as an urgent national concern, driven by academic and institutional stressors such as

1. rigid attendance systems
2. overloaded curriculum and examination pressure
3. weak mentorship due to faculty shortages
4. heavy reliance on temporary/guest faculty

5. opaque or non-transparent placement processes

High-intensity professional courses (notably medical/engineering ecosystems) were identified as settings where workload and culture can become particularly harsh.

3) Inadequate Faculty Strength in Public HEIs

The SC pointed to severe staffing gaps in public universities, with examples indicating around half the sanctioned strength remaining vacant in some cases.

This is not a “mere HR issue”

1. fewer teachers mean weaker teaching-learning outcomes
2. poor supervision/mentorship, especially for vulnerable students
3. reduced research output and academic quality
4. increased student alienation

4) Financial Stress due to Scholarship Delays

Scholarship delays were highlighted as a direct stressor that can-

1. push students into debt
2. disrupt rent/food/fees payments
3. intensify dropout risk and mental distress

5) Governance and Political-Administrative Deadlock

The Court flagged governance problems including

1. stalled appointments of key academic leadership (Vice-Chancellors/Registrars)
2. broader decline in academic and research quality when governance becomes uncertain

The underlying institutional point- leadership vacuum creates

- a. recruitment paralysis
- b. policy drift
- c. accountability collapse

Supreme Court's Directives- What Exactly Was Ordered

A) Faculty and Staff Vacancies (Teaching + non-teaching)

Direction- Fill all vacant faculty and staff posts within **four months**.

Rationale- chronic shortages increase academic pressure, weaken mentoring, and worsen student distress.

Equity angle- priority to posts reserved for marginalised/underrepresented communities (including PwDs) was emphasised in reporting.

B) Key Administrative Posts (Vice-Chancellor/Registrar, etc.)

Direction- Ensure that key administrative posts are not left vacant for long; the Court stressed time-bound filling (reported as “within four months of vacancy” and “ideally within one month” for smooth functioning).

Why it matters- leadership vacancies directly affect recruitment approvals, grievance systems, and overall campus governance.

C) Scholarships- Clear Backlog + Predictable Timelines

Direction- Clear pending scholarship disbursements within four months and ensure future disbursements follow clear timelines.

Student protection- the Court also stressed that students should not be academically penalised due to delays in scholarship disbursal (as reported).

D) Healthcare Access for Residential Higher Educational Institutions

Direction- Every residential HEI must ensure 24×7 access to qualified medical help

1. either on-campus, or
2. within a 1 km radius for emergency support.

Institutional logic- suicides/medical emergencies are time-sensitive; “availability” must be operational, not nominal.

E) Mandatory Reporting of Suicides/Unnatural Deaths

Immediate reporting- HEIs must report every suicide/unnatural death (on-campus or off-campus, once known) to the **police** promptly.

Annual reporting- reporting indicates HEIs should submit annual data to UGC/regulators for professional courses.

Why this was ordered- to prevent concealment, ensure timely investigation, and create accountability loops.

F) Data Systems- Better National Tracking of Student Suicides

Direction (reported)- strengthen national data classification so student suicides are distinctly captured by education level (including higher education), involving national statistical/crime data systems.

Policy logic- without clean, disaggregated data, prevention policies become generic and weak.

G) Institutional Accountability and “Duty of Care”

Core principle- HEIs bear responsibility to create a

1. safe
2. equitable and inclusive
3. conducive learning environment

This reframes HEIs from being mere teaching sites to being student welfare duty-holders.

H) Implementation Responsibility- Union and States - The Court placed responsibility on Union/State governments to ensure directions are communicated and acted upon promptly (as reported across case summaries).

The Supreme Court Used a “Structural Remedy” Approach - The Court treated student suicides not as isolated tragedies but as a governance and welfare failure across the higher education system. It moved from “after-the-event responses” to “prevention architecture” by mandating-

1. staffing correction
2. leadership stability
3. financial predictability (scholarships)
4. emergency health access
5. mandatory reporting + robust data systems

Source- <https://www.thehindu.com/news/national/massification-of-higher-education-system-has-triggered-an-epidemic-of-distress-sc-order/article70522181.ece>