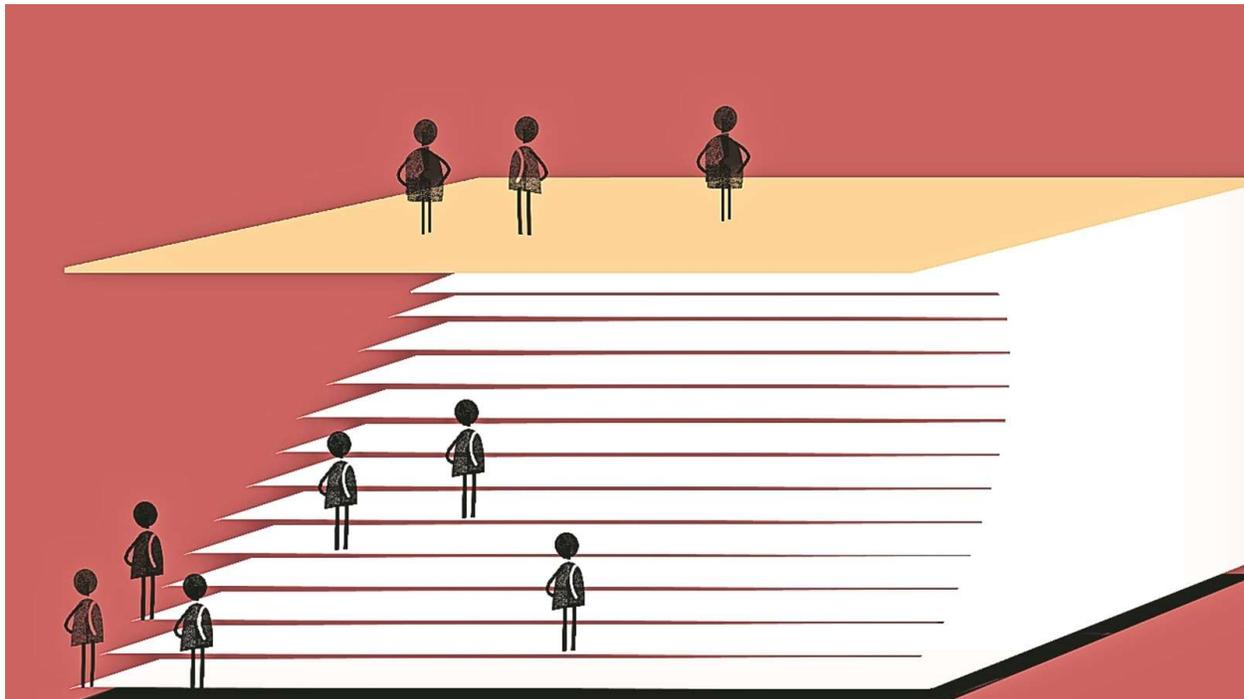


## Hiding in row over UGC Regulations is a deep fault line, social, ideological and political

Yogendra Yadav

*BJP's core vote bank has tolerated concessions to "lower orders" of Hindu society as the necessary price for maintaining political power. But the BJP's electoral hegemony and relentless ideological campaign have empowered its "upper caste" supporters to believe that such concessions are unnecessary.*



Caste bias permeates admission, evaluation, supervision, hostel life, administration, and disciplinary mechanisms. (Illustration: C R Sasikumar)

The storm over the UGC Regulations was not a debate about equity in higher education. It was a political farce with real-life consequences. From start to finish, every scene in this drama reeked of cynicism. First came a role reversal. A regime indifferent to social justice pushed for anti-discrimination measures. Then came a manufacturing of dissent. Loyalists took to the streets against their own government. It came with an inversion of victimhood. The powerful claimed persecution. Finally, came a memory trick. The very bench that demanded the framing of such regulations now recoiled in horror and stayed them. Every step was as intriguing as it was entertaining, if only it did not portend the disruption of a delicate social contract written into the Constitution.

Let there be no doubt about it. This dispute was not about the existence, or otherwise, of social discrimination in universities and colleges. A recent book by N Sukumar, *Caste Discrimination and Exclusion in Indian Universities: A Critical Reflection* (Routledge, 2023), leaves little doubt on this score. Building on the existing knowledge on this subject and drawing on survey data, personal stories and institutional analysis, he demonstrates that caste discrimination in higher education institutions is structural. Developing Satish Deshpande's work on how caste capital was converted into modern capital,

Sukumar characterises it as “social cosmology” — a caste-coded ideology of merit that presents historical caste privilege and cultural capital as individual intellectual achievement.

The kind of name-calling of Dalit students that this book records in some of the top institutions of the country should put us all to shame: “Quota children”, “category wala” or “cata students”, “sarkari damaad” or “sarkari Brahmin”, “saddus”, “preppies” or plain “behenji”, besides unprintable caste slurs. Caste bias permeates admission, evaluation, supervision, hostel life, administration, and disciplinary mechanisms. Based on 600 interviews with SC students across 10 universities, Sukumar found that around two-thirds of students report discrimination during vivas and interviews. Sadly, more than 60 per cent identify teachers as primary perpetrators, while nearly the same proportion of SC research scholars report supervisory exploitation. You could still ask how the discrimination that this book identifies is reflected in the case of other categories like the OBC, but you cannot question the brute fact that students experience universities as exclusionary rather than democratic spaces.

Let us also note that this debate was not about the remedy for this disease. There was little appetite or understanding of this challenge from either side. As someone involved in the framing of the original regulations of 2012, in my capacity then as a member of the UGC, I have no hesitation in admitting that the institutional mechanism of the earlier regulations left a lot to be desired; the Regulations of 2026 were a definite improvement in this respect. At the same time, it is also true that the new regulations had diluted the broad conceptualisation of discrimination (including harassment, victimisation and unfavourable treatment) and had dropped its illustrative listing available in the original regulations.

However, these nuances are of little practical relevance. Anyone familiar with the university system would tell you that the real problem is not the wording of this or that regulation, but the lack of will to implement any such regulation. The UGC Regulations of 2012 remained on paper. Students did not know about them and the authorities did not care. The fate of the 2026 Regulations was not going to be any different. One can only hope that the wide publicity received during the latest episode will encourage some victims to use the anti-discriminatory mechanism, even the old one.

Let us also be clear that this was not a legal dispute, or should not have been one. The fact is that the anti-discriminatory provisions in the previous and new regulations were drawn straight from the Constitution. Both regulations offered protection against discrimination based on “caste, creed, religion, language, ethnicity, gender or disability”. Both regulations laid emphasis on caste discrimination and specified SC/STs as its potential victims (the new ones added OBC). The fact is that the UGC carried out this revision on the explicit order of the Supreme Court in a 2019 case filed by the mothers of Rohith Vemula and Payal Tadvī, both of whom had died by suicide alleging caste discrimination.

As a matter of fact, it was the bench headed by Justice (now CJI) Surya Kant and Justice Joymalya Bagchi that had in its order of September 15, 2025, recommended “A Grievance-Redressal Committee, where 50 per cent of the members belong to the SC/ST/OBC community, and with a Chairperson from that very community”. Thus the horror expressed by the same bench four months later seems odd. There is nothing remotely draconian or anti General Category about the new rules. As Gautam Bhatia has pointed out, the ground offered by the Supreme Court’s stay order is out of line with the long-held position of the apex court on this subject.

Let us face it: This is a political battle. Hiding behind a farcical dispute about a minor regulation unlikely to be implemented is a deep fault line, at once social, ideological and political. The BJP has built a winning social coalition by combining its core vote bank, the “upper-caste” Hindus, with substantial inroads into the rest of the Hindu society. In the process, it has had to make all kinds of concessions to the “lower”

orders of Hindu society, including giving in to the demand for a “caste census”. So far, the BJP’s core vote bank has tolerated these concessions as the necessary price for maintaining political power. But the BJP’s electoral hegemony and relentless ideological campaign has empowered its “upper-caste” supporters to believe that such concessions are unnecessary. In any case, OBCs are where they draw the line. This opens up a crack the BJP has tried hard to cover up.

Let there be no doubt about it: We are looking at a thinly disguised assault on the constitutional idea of social justice. The UGC Equity Regulations are just an occasion; the target is the entire scheme of reservation. The real unease is about the rise of the OBCs. The immediate signal is about the caste census. This is the beginning of a renewed social battle for political power. The top of the pyramid has asserted itself. It is now for the bottom of the social pyramid to respond. This battle could decide the fate of our republic.

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