

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSWrit Petition(s) (Civil) No(s). 1149/2019

ABEDA SALIM TADVI & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 136088/2023 - INTERVENTION APPLICATION, IA No. 268625/2024 - INTERVENTION/IMPLEADMENT, IA No. 103557/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 137158/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 80506/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

Date : 15-09-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) : Ms. Indira Jaising, Sr. Adv.
Mr. Prasanna S., AOR
Ms. Disha Wadekar, Adv.
Mr. Paras Nath Singh, Adv.
Ms. Injila Muslim Zaidi, Adv.
Mr. Prasanna B, Adv.

For Respondent(s) : Mr. Sudarshan Lamba, AOR
Mr. Tushar Mehta, Solicitor General
Mr. K.M. Nataraj, A.S.G.
Mr. Apoorv Kurup, Adv.
Mr. Raghav Sharma, Adv.
Ms. Sansriti Pathak, Adv.
Ms. Bhakti Vardhan Singh, Adv.
Mr. Chandra Kant Sharma, Adv.

Mr. Tushar Mehta, Solicitor General
Mr. Manoj Ranjan Sinha, Adv.
Mr. Mrigank Prabhakar, AOR
Mr. Siddharth Sahu, Adv.
Ms. Astha Singh, Adv.

Ms. Rashmi Nandakumar, AOR
Ms. Vishal Agarwal, Adv.
Ms. Yashmita Pandey, Adv.

Dr. Siddhartha Priya Ashok, AOR
Mrs. Rajni Rani, Adv.
Mr. Suraj Indiver, Adv.
Mr. Dilip Kumar, Adv.
Mr. Sunil Kumar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. At the outset, learned Solicitor General of India, informs us that the suggestions received against the draft regulations were considered by the Expert Committee, and the opinion of that Committee is now under consideration of the University Grants Commission (UGC) - who is the competent authority to notify the regulations.

2. In this regard, Ms. Indira Jaising, learned senior counsel for the petitioners, has submitted a brief note containing various suggestions, that, according to her, deserve to be incorporated in the proposed regulations.

3. Having gone through that note, we find that the following issues have been broadly highlighted by the learned senior counsel, namely:

(i) Prohibiting Discriminatory Practices: There must be a clear ban on all known forms of discrimination and enforcing disciplinary consequences for violation/s thereof.

(ii) Non-Segregation: There must be a strict prohibition on allocating hostels, classrooms, or practical batches based on entrance rank or academic performance.

(iii) Scholarship Disbursal: The scholarship process must be digitized to allow for adequate tracking and complaints, and to prevent institutions from harassing students for delayed payments from the government.

(iv) Grievance Redressal: A Grievance-Redressal Committee, where 50% of the members belong to the SC/ST/OBC community, and with a

chairperson from that very community, ought to be constituted. The order/s of such a Committee shall be appealable before the National Commission for SC/STs.

(v) Protection of Complainants: Witness protection ought to be applied to ensure that the complainants are not harassed or threatened during the course of proceedings, and to ensure that they are permitted to pursue their complaints in accordance with the law.

(vi) Personal Liability for Negligence: Staff members, including the head of the institution, must be held personally liable for negligence.

(vii) Mental Health Counselling: There must be a specific mandate to ensure that counsellors are specially trained to assist the students/candidates belonging to marginalised communities.

(viii) Accreditation and Audits: NAAC should include specific criteria for implementing anti-discrimination policies and must require the educational institutions to conduct social audits to collect and publish anonymized data on caste, gender, and other social groups.

(ix) Action for Non-Compliance: The UGC should implement strong measures like withdrawing grants and affiliations for institutions that do not comply with the relevant rules and regulations; and

(x) Equitable Learning Support: This mechanism should take the form of preparatory courses and bridge courses, especially in English, in order to support the students of marginalised sections of society.

4. A copy of the brief note has been handed over to the learned Solicitor General, who assures to forward the same to UGC along

with a copy of this order for consideration of the suggestions brought forth by the petitioners.

5. We have no reason to doubt that the UGC will accord due consideration to the above suggestions along with those given in the report of the Expert Committee or such other suggestions that may have been received from different stakeholders. The UGC may take a final decision as it deem appropriate and notify the regulations as early as possible.

6. Post this matter for further consideration on 17.11.2025.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR