



**PACTA**  
SOCIAL | IMPACT | LEGAL

# UGC SEDGS GUIDELINES



# RECOMMENDATIONS



## A. INTRODUCTION

7% of the cases decided by the Chief Commissioner for Persons with Disabilities are related to Education. All these cases concerned higher educational institutions, competitive exams and promotion exams written by employees. 8 out of the 25 cases were raised due to physical or digital inaccessibility.

Pacta is a Bengaluru (India) based boutique consulting firm focusing exclusively on the legal and policy needs of the social sector. We are a team of all-women lawyers and policy analysts. Pacta advises billion-dollar philanthropies, grassroots non-profits, and educational institutions working across all Sustainable Development Goals. Pacta has a commitment to work on issues relating to Persons with Disabilities.

Based on the public call for comments on the Guidelines for Equitable Opportunity to the Socially Disadvantaged Groups (SEDGs) in HEIs released in February 2023, we hereby submit a set of recommendations for your kind consideration. These recommendations are made from the point of view of Persons with Disabilities.

## B. GENERAL COMMENTS

1. Though the Rights of Persons with Disabilities Act, 2016 provides for non-discrimination and accessibility measures for Persons with Disabilities (PwDs), PwDs still struggle to access statutory rights and entitlements. The UGC initiative in drafting these guidelines is commendable. But its true test is in the implementation. The Draft Guidelines when finalized do not have a binding effect on the Universities regulated by the UGC and remain recommendatory in nature. In order for the Guidelines to be proactively adopted by Universities, the UGC may provide incentives such as higher NAAC grading, relaxations in University grants and special recognition to Universities for their initiatives in inclusion.



2. The Draft Guidelines do not envisage diversity and inclusion audits. Periodic diversity and inclusion audits will ensure to reduce the gap between policy and practice.
3. A non-profit organizations called IDIA has done pioneering work to make law universities such as National Law University Odisha and The West Bengal National University of Juridical Sciences, Kolkata more inclusive. This model can be extended to other Universities also.
4. The Guidelines would benefit from making specific mentions and reiterating the provisions on accessibility under the UGC and Ministry of Education Accessibility Guidelines and Standards for Higher Education Institutions and Universities June 2022.

## C. SPECIFIC COMMENTS

S.No.	Page No.; Clause	Clause	Suggestion/Observation
01	p.3, Clause no.1.1. (v)	A person with not less than forty percent of a specified disability as certified by the certifying authority	We recommend that Persons with less than benchmark disabilities should also be covered under this Guidelines. This is in tandem with the Supreme Court decision in Vikas Kumar v. Union Public Service Commission & Ors (2021), where the Court held that persons with disabilities less than the benchmark are also entitled to reasonable accommodations.
02	p.7, Clause 2.2 (2)	Orientation courses for freshers	We recommend that during orientation, the Guidelines should also envisage developing a peer support mechanism (on the IDIA model of providing scribes and sign language specialists). This will help peer students without disabilities to empathize with the challenges and barriers faced by students with disabilities.

03	p.7, Clause 2.2 (f)	E-learning resources, application of Information and Communications Technology (ICT), and social media for making education employable.	We recommend that the Guidelines should direct that Universities ensure its e-learning resources are accessible to students with disabilities and adhere to the requirements of accessible technology under ISO/IEC 30071-1:2019 and the Rights to Persons with Disabilities Rules, 2017 as amended on May 10, 2023.
04	p.8, Clause 2.2., Earn-while-Learn	The Earn-while-Learn (EWL) scheme is a means to help the SEDGs students earn and support their education and acquire skills and capabilities that would enhance their employability	While this is a commendable initiative, a one size fits all SEDGs approach might not be in the best interests of PwDs. There is still a lot stigma around PwD creating barriers for employment of PwDs. Hence specific initiatives for PwDs must be taken to break this stigma.
05	p.10. Clause 2.3.1. Outreach Programmes	Steps to be taken by the Universities/ Colleges:	<ul style="list-style-type: none"> <li>We suggest that the Guidelines direct HEIs to regularly offer career counselling and information sessions in the Special Education Zones and in the local communities where their campus is situated. This is because many Indian universities are set up in the outskirts of cities and can contribute to inclusion and empowerment of SEDGs by starting such initiatives in their vicinity. This will also ensure that HEIs reach a student pool outside their students.</li> </ul>

			<ul style="list-style-type: none"> <li>• A diverse fraternity of students as well as staff should be the aim of these outreach programmes. They can consider outreach programmes to recruit their staff and also encourage Recruit to Deploy Programmes to encourage employment of SEDGs. Having faculty and staff who belong to SEDGs will also encourage students from SEDGs to join such academic institutions.</li> </ul>
06	p.11, Clause 3.1. (2)	To ensure that the HEIs are inclusive, safe, and secure for the SEDGs students.	We recommend that this Clause should be rearticulated as follows: “To ensure that the HEIs are inclusive, safe, <b>accessible</b> and secure for the SEDGs students”.
07	p.12, Clause 3.1. (10) Grievance Redressal Committee	To redress the grievances and complaints of the SEDGs students within 15 days through a Grievances Redressal Committee (GRC) without compromising the safety and dignity of the complainant.	<p>We recommend that:</p> <ul style="list-style-type: none"> <li>• the Grievance Redressal Committee should have adequate representation from SEDGs including PwDs.</li> <li>• the following paragraph is included “The complainant shall have the option to approach the Equal Opportunity Cell or some other grievance redressal authority such as the Human Rights Commission or the local police as per their discretion.”</li> </ul>

08	p.12, Clause 3.2. Functions of the Equal Opportunity Cell		<ul style="list-style-type: none"> <li>• We recommend that the Guidelines should clarify that the powers of the Grievance Redressal Committee set up under the Equal Opportunity Cell shall not be in conflict with that of the Internal Committee under the Prevention of Sexual Harassment (POSH) law.</li> <li>• We recommend that the Guidelines should clarify that the functioning of the Grievance Redressal Committee set up under the Equal Opportunity Cell should be similar to the Internal Committee. As the Cell can hear and dispose complaints, it should also be allowed to impose penalties, call for witnesses similar to the Internal Committee. The accused should be given opportunity to be heard.</li> <li>• It is recommended that the Guidelines suggest filing reports to UGC on the complaints before the Grievance Redressal Committee.</li> </ul>
09	p.13, Clause 3.3 Governance of the Equal Opportunity Cell	The Equal Opportunity Cell shall have the following composition:	We recommend that the Guidelines include the following as Clause 3.3 (9): “Person with Disability Representative to be nominated by the Head of the HEI ... Member”.

[1] Based on Pacta’s self-directed study (upcoming) of CCPD rulings between April 2022-December 2022