



2026:DHC:4144



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 05.05.2026

+ W.P.(C) 2399/2026, CM APPL. 11728/2026 & CM APPL. 11729/2026

MAN MENTAL HEALTH AWARENESS AND NETWORKING
SOCIETY, THROUGH ITS AUTHORISED SIGNATORY

.....Petitioner

Through: Mr. Vinam Gupta, Ms. Pragya
Narayan, Ms. Nabam Yama, Advs.

versus

REHABILITATION COUNCIL OF INDIA, MINISTRY OF SOCIAL
JUSTICE AND EMPOWERMENT & ORS. ...Respondents

Through: Mr. Nishant Gautam CGSC Mr. Rahul
Kumar Sharma Govt Pleader Ms.
Kavya Shukla, Mr. Vineet Negi, Mr.
Vibhav V. Nath, Advs. for R2

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

: **JASMEET SINGH, J (ORAL)**

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

“a) Issue a writ of mandamus directing the Respondents to frame a clear, uniform and non-discriminatory transitional policy protecting:

i. Students presently enrolled in B.A./B.Sc./M.A. Psychology programmes;

ii. Students who completed M.A. (Clinical Psychology) under



the earlier UGC regime; and

iii. Students who entered psychology programmes on the basis of pre-existing eligibility criteria.

b) Issue a writ of mandamus directing the Respondents to continue the M.Phil programme under the previous regime for such period as would enable it to harmonise the newly approved alternative with existing regime;

c) Issue a writ of mandamus directing the Respondents to ensure that identical degree nomenclature is not used for programmes governed by different statutory regimes unless uniform registration consequences are attached thereto;

d) Pass such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case in the interest of justice, equity and public health..."

2. The facts are that the petitioner, MAN Mental Health Awareness & Networking Society, is a charitable and educational society established in 2009 under the Societies Registration Act, 1860, engaged in education, community mental-health services, and disability rehabilitation, and since 2021–2022, is imparting professional training in Clinical Psychology and running M.Phil programmes.

3. Respondent No.1, the Rehabilitation Council of India (“**RCI**”), is the statutory body regulating rehabilitation education and maintaining a central register of qualified professionals; Respondent No.2 is the Union of India



through the Ministry of Health and Family Welfare; Respondent No.3 is the University Grants Commission (“**UGC**”), which oversees standards in higher education; Respondent No.4 is the National Commission for Allied and Healthcare Professions (“**NCAHP**”), regulating allied healthcare education and services; and Respondent No. 5 is the Ministry of Education, which notified National Education Policy 2020 (“**NEP 2020**”) recommending discontinuation of M.Phil programme and restructuring higher education into a four year undergraduate and two year post graduate framework.

4. Pursuant to NEP 2020 respondent No. 3, notified PhD regulations 2022 and by Regulation 14 prohibited higher educational institutions from offering M.Phil programmes resulting in discontinuation of M.Phil in Clinical Psychology and psychiatrist social work, without simultaneously notifying a harmonised professional replacement pathway for regulated mental health disciplines. Regulation 14 reads as under:-

“14. Grant of M.Phil. Degree.- Higher Educational Institutions shall not offer the M.Phil.(Master of Philosophy) programme.”

5. On 01.06.2023, an inter-ministerial meeting was convened by respondent No. 2 and follow up meetings were held. On 29.08.2023, in the inter ministerial meeting the finalized replacement framework for discontinued M.Phil programme was identified with two alternative academic pathways which read as under:-

“(i) Allied Professions (four-year B.Sc. (Hons.) Clinical Psychology and B.A. (Hons.) Psychiatric Social Work to be regulated by Respondent No.4), and



2026:DHC:4144



(ii) General Academic (four-year undergraduate plus two-year master's programmes to be regulated by Respondent No.1), with provision for practical training, PG-Diploma exit options”

6. The minutes recorded that existing M.Phil courses ought to be permitted to be continued for next five to six years in parallel with the newly proposed track to prevent disruption of the workforce in the mental health centre. The operative portion of the minutes reads as under:-



- Although both 3 and 4-years Bachelor courses are compatible with National Education Policy, the 4-year pathway is the more preferred one.
 - There should be a strong emphasis on clinical orientation/education under both the pathways starting from the first year of graduation under the Allied Profession track; and starting from the fourth year of graduation, and continuing into post-graduation under the general academic track.
 - Further, the National Education Policy (NEP) allows exits after successful completion of the first-year of masters courses. Accordingly, a PG Diploma in the respective domain can be offered for those students who choose to take only one year course (Graduation of 4 years+1 year of Masters course) in Clinical Psychology or Psychiatric social work. However, in that case, there should be clarity on what such a student can and cannot do after acquiring the PG Diploma qualification as compared to those who have completed two years of masters.
 - The transition plan from the present system to the newly proposed course curricula should be clear and explicit. The current M.Phil. courses may be allowed to continue for the next 5-6 years to ensure continuity. In parallel, there should be expeditious implementation of the courses under the two tracks along with putting in place the training capacity.
 - The Ph.D. options will be open to professionals coming out of both the pathways as per NEP/UGC norms.
7. Subsequently, the earlier M.Phil programme was extended for the two years.
8. On 30.01.2024, the UGC released the notice dated 30.01.2024, which reads as under:-



2026:DHC:4144



F.No.9-5/2023(PS/Misc.)

30th January, 2024 / 10 माघ, 1945**Public Notice**

UGC (Minimum Standards and Procedure for Award of Ph.D. degree) Regulations 2022, notified on 7th November 2022, discontinued M.Phil. programme in accordance with the recommendation of the National Education Policy 2020. Considering the vital role played by Clinical Psychologists and Psychiatric Social Workers in delivering mental health services, the UGC has decided to extend the validity of M.Phil. in Clinical Psychology and M.Phil in Psychiatric Social Work till 2025-26 academic session only, in partial relaxation to the above Regulations.

Accordingly, students can be admitted to an M.Phil. in Clinical Psychology and M.Phil in Psychiatric Social Work programmes by HEIs till 2025-26 academic session only.

(Manish Joshi)

9. A perusal of the notice shows that the earlier regime of candidates coming through various streams and getting an M.Phil degree in Clinical Psychology was discontinued from 2025-26 academic session.

10. Mr. Gupta, learned counsel for the petitioner challenges the same and urges the petition on the following grounds:-

“ i. Students who have completed or are presently pursuing M.A. Clinical Psychology under UGC-regulated universities are now compelled to again undertake an RCI-regulated M.A. programme in order to become eligible for registration in the Central Rehabilitation Register.

ii. Candidates who enrolled in B.A. programmes in allied or



non-psychology disciplines, who were earlier eligible to pursue M.A. Clinical Psychology, are now rendered ineligible under the new framework.

iii. Graduates who earlier lawfully completed a B.A. in another subject followed by an M.A. in Clinical Psychology are barred from entering the RCI-regulated pathway, even though their qualifications were previously recognised.

iv. Science-stream students are permitted to reach certain level of registration under CRR through a four-year B.Sc. (Clinical Psychology) pathway, whereas Humanities-stream students are required to undergo a substantially longer route of B.A. plus M.A., thereby imposing an unequal academic burden.

v. The continued operation of identically titled “M.A. Clinical Psychology” degrees under both UGC and RCI, without discontinuing or harmonising the UGC-regulated programme, is likely to mislead students, employers and the public.

vi. Under the earlier regime, the M.Phil (Clinical Psychology) was an advanced professional qualification above the master’s level. In the new regime, the replacement of the M.Phil with an M.A. of the same duration and title lowers the perceived academic standing of the qualification and is likely to adversely affect graduates’ prospects both within India and abroad.

vii. The new regime is also silent with respect to any higher-level degree, namely, M.Sc for the B.Sc graduates. It also does not confirm if the new M.A. course in the General



Academic route is open for the B.Sc students.

viii. Graduates who, under the earlier regime, had completed a B.A. in a discipline other than Psychology followed by an M.A. in Clinical Psychology are now rendered ineligible for registration under Respondent No.1.

ix. The introduction of additional undergraduate psychology programmes, including the newly notified four-year Bachelor of Psychology (B.Psy) course under Respondent No.4/NCAHP, alongside the B.Sc. (Clinical Psychology) course and the B.A./M.A. route regulated by Respondent No.1, has multiplied parallel entry routes into the profession without any certainty with respect to scope of practice or eligibility for registration.

x. The creation of parallel undergraduate pathways has generated uncertainty as to which qualifications will ultimately permit registration in the Central Rehabilitation Register.”

11. Since the guidelines were issued by the respondent No. 1 in terms of the new policy, the present petition has been filed.

12. Ms. Sharma, learned counsel for the respondent No. 1 had handed over a counter-affidavit which is taken on record stating that the new curriculum is in accordance with the NEP Policy 2020 which emphasises on training in the Clinical Psychology and also has reduced the tenure of the Course from seven to six years. Hence there is no scope for confusion and the actions of the respondents are in accordance with law.

13. My attention has been drawn to the entry requirement which is as under:-



“Entry requirement

Minimum educational requirement for admission to this course will be 4 years B. A./B.Sc. degree in Psychology from a university recognized by the UGC with a minimum of 55% marks in aggregate. For SC/ST category, minimum of 50% marks in aggregate is essential, as per GOI. The candidates who have completed their graduation programme in 3 years shall have to pass fourth year Bridge Course or first year of Masters Programme in Psychology with minimum of 550/, marks are also eligible.”

14. Mr. Kumar, learned counsel for the respondent No. 1 draws my attention to the second part of the entry condition to state that the candidates who have completed their graduation in any course other than Psychology have the option to pass four year bridge course with minimum 55% percent marks. On my query, as to whether the universities are offering this bridge course, the answer is in the negative.

15. I have heard learned counsels for the parties.

16. The following tables are relevant to show the old regime and the new regime:

UNDERGRADUATE STUDENTS

TABLE III

UNDERGRADUATE STUDENTS- B.A/B.Sc. (Any stream/discipline other than Psychology) under UGC			
Education Level	Earlier	Position	Present Position under
	(Pre-NEP/Old		RCI (Impugned



2026:DHC:4144



	Regime)	Framework)
Undergraduate	B.A./B.Sc in any stream/discipline other than Psychology under UGC (completed/ongoing)	B.A./B.Sc in any stream/discipline other than Psychology under UGC (completed/ongoing)
Post-graduate	Eligible for admission in M.A. (Psychology) under UGC	Not eligible for admission in M.A. Clinical Psychology Constrained to enroll again in undergraduate course of B.A. in Psychology under UGC (4 years) /B.Sc in Clinical Psychology (4 years) under RCI
Masters in Philosophy	M. Phil (Clinical Psychology)	
	RCI Registration (3+2+2=7 years for RCI)	RCI registration pathway only after repeating undergraduate studies through a fresh 4-year B.A. in Psychology under UGC/B.Sc. in Clinical Psychology



		under RCI followed by M.A. (Clinical Psychology), resulting in duplication of education and an excessive academic burden: 3 years (existing UGC undergraduate degree) – not recognised + 4 years fresh B.A. in Psychology under UGC/B.Sc. Clinical Psychology under RCI + 2 years M.A. (Clinical Psychology) = 9 years of RCI Registration Note: B.Sc (Clinical Psychology) student under RCI would still not be able to pursue M.A. (Clinical Psychology) or any other course to become
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2026:DHC:4144



		Clinical Psychologist – only RCI Registration as ‘Clinical Assistant’
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POSTGRADUATE STUDENTS**TABLE IV**

STUDENTS WHO HAVE ALREADY ENROLLED/COMPLETED B.A. (ANY STREAM OTHER THAN PSYCHOLOGY) M.A. (PSYCHOLOGY, CLINICAL PSYCHOLOGY AND OTHER BRANCHES OF PSYCHOLOGY) (UGC REGULATED)		
Education Level	Earlier Position (Pre-NEP/Old Regime)	Present Position under RCI (Impugned Framework)
Post graduate completed under UGC	B.A./B.Sc. (any stream other than Psychology) + M.A. (Psychology, Clinical Psychology and other branches of Psychology) (on going/completed) UGC Regulated Valid and recognized for RCI registration post completion of M.Phil (Clinical Psychology)	B.A./B.Sc. (any stream other than Psychology) under UGC + M.A. (Psychology, Clinical Psychology and other branches of Psychology) (ongoing/completed) UGC Regulated



2026:DHC:4144



		Not recognised for RCI Registration
Masters in Philosophy	M. Phil (Clinical Psychology)	M.Phil pathway abolished Constrained to enroll again in undergraduate course of B.A. in Psychology under UGC/B.Sc. in Psychology (4 years) under RCI. After BA in Psychology, again constrained to enrol in M.A. Clinical Psychology for RCI Registration.
	RCI Registration 3 years B.A./B.Sc (any stream) + 2 years M.A. (Clinical Psychology) under UGC + 2 years M.Phil (Clinical Psychology) 7 years (earlier recognised	3 years (existing B.A./B.Sc.) + Ongoing 2 years M.A. (Clinical Psychology) under UGC + 4 years B.A./B.Sc



2026:DHC:4144



	pathway)	Psychology under UGC + 2 years M.A. (Clinical Psychology) 11+years for RCI Registration to become Clinical Psychologist
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17. A perusal of the above tables shows that a student in B.A and B.Sc could go for M.A Psychology and obtain a degree in M.Phil (Clinical Psychology). There can be no ambiguity as far as student studying in class XII are concerned to take the new regime in accordance with the NEP 2020. The problem lies with students who are pursuing B.A., B.SC in any stream or pursuing M.A Psychology. The said candidates now cannot proceed to go for M.Phil (Clinical Psychology) and obtain RCI registration.

18. The students who are undergoing B.A., B.SC in any stream/ discipline today or are undergoing M.A Psychology will have to go back to B.A., B.Sc



and M.A in Clinical Psychology and thereafter get RCI registration for pursuing a profession in Clinical Psychology.

19. A similar kind of situation has been considered in WP (C) 15086/2025 **Prabhroop Kaur Kapoor v. Union of India** and more particularly in para 46 to 51, which reads as under:-

“46. The petitioners constitute a limited category of students who had already acted upon the prevailing policy. Denying the facility results in serious and irreversible prejudice to the petitioners, who have already invested an academic year in preparation based on a legitimate expectation.

47. The law laid down in Surender Kumar Dhawan (supra) is also binding upon this Court that in questions of education policy and academic matters the Courts are to refrain from interfering. However, the said judgement also holds that if any provision or principle of law is to be interpreted, applied or enforced with reference to or connected with education, the Courts are required to step in. 9 This Court is neither required to nor is going into the legality, justifiability or the basis which has prompted/ necessitated the amendment to the examination policy. However, this court, in the present case, is concerned with interpretation, application and enforcement of amendment to Clause No. 43 (i) of Bye Laws only to the graduates of Class XII of 2025 batch, which is working to the detriment of the petitioner and is seeking to retrospectively withdraw a valuable vested right. The



applicability was abrupt and thus, when the actions are arbitrary and unreasonable, it is imperative to intervene in such a case.

48. CBSE's submission that no prejudice is caused since students may appear through NIOS does not cut much ice. The petitioners have demonstrated, prima facie, that several universities and competitive examination authorities insist upon a consolidated marksheet from a single recognised board. The option of NIOS, therefore, cannot be treated as a real or equivalent alternative, particularly where it compels students to repeat multiple subjects afresh.

49. CBSE, being the principal national body entrusted with regulating secondary and senior secondary education, cannot absolve itself of responsibility to ensure coherence of rules of senior secondary education with the rules the competitive of examination in this country. Education system in India is intertwined in such a manner that senior secondary education is not an isolated stage but forms the foundation upon which higher and professional education is built. The structure of higher education admissions in the country is intrinsically linked to the subjects studied and examinations taken in Class XII.

50. Eligibility criteria for professional courses are framed with reference to specific subject combinations at the senior secondary stage. For instance, admission to medical courses



through NEET mandates the study of Physics, Chemistry, and Biology at the Class XII level, while engineering admissions require Physics, Chemistry, and Mathematics.

51. These requirements presuppose that such subjects have been pursued as part of an integrated academic curriculum under a recognised Board. In this context, directing the students who have already passed Class XII under CBSE to seek recourse through NIOS disrupts the continuity of their academic record and undermines the coherence of the education system itself. In such a case the student would have to undergo the examination of all 5 subjects, which can never be a viable option.”

20. Applying the aforesaid principles to the facts of the present case, it is evident that students presently pursuing B.A., B.Sc. (in any discipline), or M.A. Clinical Psychology had embarked upon their respective courses under a legitimate and well-founded expectation that they would be eligible to progress to the M.Phil. in Clinical Psychology and, thereafter, obtain registration with the RCI in accordance with the prevailing regime.

21. The abrupt introduction of the new regime, without any workable transitional mechanism, has the effect of completely foreclosing this established route. The consequence is that the students are effectively required to retrace their academic steps by re-enrolling in undergraduate and postgraduate programmes in Clinical Psychology, thereby losing years of academic effort and financial investment. Such a requirement is manifestly



2026:DHC:4144



unreasonable and disproportionate. The denial of access to the M.Phil. programme under these circumstances amounts to a retrospective withdrawal of a valuable right, which had already accrued to the students by virtue of their enrolment under the earlier regime.

22. In these circumstances, the application of the new regime to the present cohort of students would be arbitrary, inequitable, and violative of the principles of fairness that govern administrative action.

23. For the said reasons, the new regime will not be applicable to the students presently enrolled in B.A, B.Sc and M.A. (Clinical Psychology) programme but will be applicable to the Class XII students.

24. Mr. Gupta, learned counsel for the petitioner, does not press the other prayers and states that he will make representation to all the respondents who may consider the same.

25. In view of the above, the writ petition is allowed and disposed of.

JASMEET SINGH, J

MAY 5, 2026/NG

(Corrected and released on 09.05.2026)