

**IN THE SUPREME COURT OF INDIA**

**[ORDER XXXVIII RULE (1)]**

**CIVIL ORIGINAL JURISDICTION**

**(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)**

**WRIT PETITION (CIVIL) NO.            OF 2020**

**IN THE MATTER OF:**

**YASH DUBEY**

**...PETITIONER.**

**VERSUS**

**UNION OF INDIA & ORS.**

**...CONTESTING RESPONDENTS**

**WITH**

**I.A. No.    OF 2020**

**Application for interim relief; and**

**I.A. No.    OF 2020:**

**Application seeking listing due to extreme urgency; and**

**I.A. No.    OF 2020**

**Application seeking exemption from filing requisite court**

**fees; and**

**I.A. No.    OF 2020**

**Application seeking exemption from filing original affidavit**

**and Vakalatnama/ notarised**

**PAPER BOOK**

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**ADVOCATE FOR THE PETITIONER: RAJ KAMAL**



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**...CONTESTING RESPONDENTS**

**OFFICE REPORT ON LIMITATION**

1. This Writ Petition is being filed with a delay condonation application seeking condonation of \_\_\_ days delay in filing the instant petition against the impugned final judgment and order.
2. There is delay of \_\_\_ days in re-filing the petition and petition for condonation of NA days delay in refiling has been filed.

**BRANCH OFFICER**

New Delhi

Dated: 20.07.2020

A-1

A1

## PROFORMA FOR FIRST LISTING

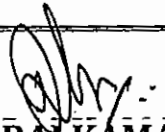
The case pertains to:		SECTION: <u>PIL</u>	
i.	Central Act	:	Constitution of India
ii.	Section	:	Article 21.
iii.	Central Rule	:	N.A.
iv.	Rule no(s).	:	N.A.
v.	State Act	:	
vi.	Section	:	
vii.	State Rule	:	N.A.
Viii	Rule No(s)	:	N.A.
ix.	Date of Impugned Interim order	:	N.A.
x.	Date of Impugned final order/decrece	:	
xi.	Name of the High Court	:	
xii.	Names of Judges	:	
Xiii	Name of the Tribunal/Authority	:	N.A.
1.	Nature of matter	:	Writ Petition (Civil)

A-2

2.	a)	Petitioner	:	Yash Dubey
	b)	E-mail ID	:	<u>yashdubey1502@gm</u> <u>ail.com</u>
	c)	Mobile phone number	:	+91-8225996763
3.	a)	Respondent no.1	:	Union of India
	b)	E-mail ID	:	N.A.
	c)	Mobile phone number	:	N.A.
4.	a)	Main category classification	:	Writ Petition under Article 32 of the Constitution of India
	b)	Sub classification	:	0812: Others
5.		Not to be listed before	:	N.A.
6.		Similar/pending matter	:	No similar matter
7.		CRIMINAL MATTER	:	N/A
	a)	Whether accused/convict has surrendered	:	
	(b)	FIR No. & Date	:	
	c)	Police station	:	
	(d)	Sentence awarded	:	
	€	Sentence Undergone	:	
8.		LAND ACQUISITION MATTERS	:	N.A

AA-2

	a)	Date of section 4 notification	:	N.A
	(b)	Date of section 6 notification	:	N.A
	€	Date of section 17 notification	:	N.A
9.		TAX MATTERS	:	N.A
10		SPECIAL CATEGORY	:	N.A
	a)	Senior citizen	:	N.A
	(b)	SC/ST	:	N.A
	c)	Woman/child	:	N.A
	d)	Disabled	:	N.A
	€	Legal Aid Case	:	N.A
	(f)	In custody	:	N.A
11		Vehicle number (in case of Motor Accident Claim matters)	:	N.A

  
RAJ KAMAL

(Advocate for the Petitioner)

Advocate on Record

Supreme Court of India

B

## SYNOPSIS

The present writ petition has been filed by the Petitioner, Yash Dubey, who is a final year law student of the Career College of Law, Barkatullah University, Bhopal (M.P.) and the Petitioner No. 2 which is an association of public spirited, young and vigilant law students and lawyers, across the country, registered under Society Registration Act, 1860 bearing registration no. 24/2013-2014 and have Registered Office at: 2<sup>nd</sup> Floor, Savitri City Center, Jail Road Chauraha, Haldwani, District- Nainital, Uttarakhand and correspondence address at, B-3, LGF, Jangpura Extension, New Delhi- 110014. Law students from around 126 institution/colleges across the country are part of Petitioner No. 2's society. The Petitioner No. 2 has one student representative from each institution/college. The Petitioner No. 2 has worked for the welfare and skill enhancement of the students and young lawyers. Even during the lockdown, Petitioner No. 2 has not failed in taking steps for augmentation of knowledge of the young law students and lawyers across the country. That the Petitioner No. 2, even in these testing days, organised a 10 days virtual school on Mediation, which was joined by around 190 students from law schools across the country. Petitioner No. 1 is also the circle head of Madhya Pradesh (Student Wing) of the Youth Bar Association of India ("YBAI") is filing the present writ petition under

C

Article 32 of the Constitution of India to bring to the notice of this Hon'ble Court the grave and serious problems faced by thousands of students across the country in view of the notification dated 06.07.2020 ("**MHA Notification**") issued by the Ministry of Home Affairs ('**MHA**') providing for the compulsory conduct of final term examination by Universities and Institutions and the Revised Guidelines on Examination and Academic Calendar for the Universities issued by the University Grant Commission ("**UGC**") on 06.07.2020 ("**Revised UGC Guidelines**"), *inter alia* seeking issuance of a writ of Mandamus, or any appropriate writ, order or direction to the Union of India through the Ministry of Home Affairs (Respondent No. 1, herein) and to the University Grant Commission (Respondent No. 2, herein), directing as under:

- a. to provide for alternative mode of assessment of the final year students, in wake of Corona Virus disease outbreak ('**COVID-19**');
- b. to direct the Respondent No. 2 to call upon the universities to submit a set of parameters for evaluation of the students on the basis of the past performance of the student;
- c. to promote the students on the basis of the performance in the previous semesters by taking an aggregate score for all



D

the semesters and extrapolating them to calculate the marks for the final semester;

- d. to quash the notification dated 06.07.2020 issued by MHA (Respondent No. 1, herein) and subsequently the Revised UGC Guidelines dated 06.07.2020.

It is most respectfully submitted that the Petitioner by way of the present petition seeks intervention of this Hon'ble Court for protection of his life and thousands of other students, whose basic Right to Health, which is an inseparable part of Right to Life enshrined under Article 21 of the Constitution of India, is violated, in view of the arbitrary Revised UGC Guidelines and MHA notification, providing for compulsory conduct of examination.

It is most respectfully submitted that looking at the criticality and grave urgency of the situation, the Petitioner on 10.07.2020, wrote a Letter Petition to this Hon'ble Court seeking *suo-moto* cognizance of this Hon'ble Court and further requesting this Hon'ble Court to keep the Revised UGC Guidelines and the MHA Notification dated 09.07.2020, in abeyance, until the COVID induced situation normalises. Since, the Petitioner has not yet received any reply on his letter petition, he is constrained to file the present writ petition,

E

It is further most respectfully submitted that the conduct of examination (either online/offline/blended) in the prevailing unprecedented circumstances of health emergency will expose the examinees to a great risk and will amount to flagrant violation of basic principle of right to health which is an important facet of right to life as observed by this Hon'ble Court in the matter of *Devika Biswas v. Union of India, (2016) 10 SCC 726*.

It is most respectfully submitted that the Revised UGC Guidelines are being issued at the time when the entire country is at huge risk of being exposed to the virus and when there is an exponential growth in the total number of cases in the country which has already crossed the tally of 10.38 lakh and when the country has reached the stage of community spread. The Indian Medical Association (IMA) on 18.07.2020 *inter alia* stated that ... "*this is now an exponential growth. Every day the number of cases is increasing by more than around 30,000. This is really a bad situation for the country. There are so many factors connected with it but overall this is now spreading to rural areas. This is a bad sign. It now shows a community spread.*"

It is most respectfully submitted that the compulsory conduct of the examination at this stage will severely affect the health of the students and will expose them to huge risk. It is further most

F

respectfully submitted that it is a settled position of law that right to life must satisfy the test of reasonable, just and fair procedure. This Hon'ble Court in plethora of judgements have held in clear and categorical terms that any restriction on the right to life must be by a procedure prescribed by "law" and such "law" must be reasonable, fair and just. It cannot be arbitrary, whimsical or fanciful. The MHA Notification and the Revised UGC Guidelines are not only arbitrary but have been issued as an afterthought in complete disregard to the life, safety and health of the students.

It is further submitted that amid nationwide demand to scrap final year university exams due to the rising number of coronavirus cases, the Yuva Sena, which is the youth wing of the political party Shiv Sena, on 18.07.2020 filed a similar writ petition before this Hon'ble Court, challenging the decision of the University Grants Commission (UGC) to conduct final year exams.

#### **LIST OF DATES AND EVENTS**

- |            |   |
|------------|---|
| 24.03.2020 | Owing to COVID-19 pandemic, complete lockdown was imposed in the country for a period of 21 days. |
| 15.04.2020 | MHA extended the lockdown till 03.05.2020.  |
| 29.04.2020 | UGC issued Guidelines on Examination and  |

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Academic Calendar for the Universities in view of COVID-19 Pandemic and subsequent lockdown, providing that the terminal semester(s)/ final year examinations may be conducted between 01.07.2020 to 15.07.2020.

01.05.2020 MHA further extended the lockdown until 17.05.2020.

17.05.2020 MHA further extended the lockdown until 31.05.2020.

01.06.2020 In wake of the rising curve in the COVID-19 cases, the Government of Maharashtra announced promotion of final year students on the basis of aggregate marks.

23.06.2020 In view of the increasing number of cases, the Government of Madhya Pradesh announced general promotion for all university and college students. For final year students of under graduate and post-graduate courses, the Government of Madhya Pradesh announced that they will be deemed to have graduated on the basis of the highest score obtained in

H

previous exams.

04.07.2020

In view of the increasing number of cases in Punjab, the Government of Punjab announced cancellation of college and university exams.

05.07.2020

In view of the increasing number of cases in Rajasthan, the Government of Rajasthan announced cancellation of under graduate and post-graduate examination.

06.07.2020

MHA permitted the conduct of examination by Universities and Institutions. The MHA in the said notification has notified that the final term examinations are to be compulsorily conducted as per the Revised UGC Guidelines and as per the Standard Operating Procedure (SOP) approved by the Union Ministry of Health and Family Welfare.

06.07.2020

The Revised UGC Guidelines were issued, wherein it provided for conduction of terminal semester/final year examination by the end of September 2020, in offline (pen & paper)/online/ blended (online + offline) mode

I

following the prescribed protocols guidelines related to COVID-19 pandemic.

07.07.2020

In view of the increasing number of cases, the Government of Maharashtra wrote a letter to the HRD Ministry regarding the revised UGC guidelines on University exams and had argued that the UGC guidelines on exams and academic calendar should be "advisory" not "mandatory". They also said that they had already decided to cancel the final year university exams in view of the COVID-19 pandemic.

09.07.2020

In view of the increasing number of cases, the Principal Secretary of Department of Higher Education and School Education Department, Government of West Bengal wrote a letter to the Respondent No. 3 to re-examine the guideline providing for the compulsory conduct of examination by end of September in the interest of the physical/mental well-being of students.

09.07.2020

In view of the increasing number of cases, the

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Government of Odisha wrote a letter to Respondent No. 3 regarding the revised UGC guidelines on University exams and had requested to allow them to adhere to their decision of cancelling the University exams.

10.07.2020

The Petitioner wrote a Letter Petition seeking *suo-moto* cognizance of this Hon'ble Court and further requesting this Hon'ble Court to keep the Revised UGC Guidelines and the MHA Notification dated 09.07.2020, in abeyance, until the COVID induced situation normalises.

10.07.2020

In view of the increasing number of cases, the Tamil Nadu Government wrote a letter to the HRD Ministry regarding the revised UGC guidelines on University exams requesting Central Government to grant "freedom to states to work out their own assessment methods, without compromising on the quality and academic credibility". They said that "they are not in a position to conduct college examinations for the final year/semester

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students in September 2020, as several educational institutions have been converted into COVID-19 care Centre. It was further stated in the letter that such a move in the backdrop of the spread of coronavirus will jeopardise the future of students facing their final year/semester exams.

11.07.2020

In view of the increasing number of cases, the Punjab Higher Education Minister wrote a letter to the HRD Ministry regarding the revised UGC guidelines on University exams requesting him to re-examine the guidelines. He said that "Considering the large public interest of successfully containing the COVID-19 pandemic, allow the state government to implement the decision by not making the MHRD/UGC guidelines mandatory on the state government.

11.07.2020

In view of the increasing number of cases, the Government of Delhi cancelled all upcoming examinations to be conducted in state



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universities, both for final and intermediate year/semester students. State universities have been asked by the state government to come up with "a set of parameters for evaluation on the basis of the students past performance" and award them degree.

18.07.2020

The UGC issued a press release *inter alia* stating that "...out of 945 Universities (as per the list maintained by UGC till 01-06-2020) the responses were obtained from 755 Universities (120 Deemed Universities, 274 Private Universities, 40 Central Universities and 321 State Universities). The information from remaining Universities is being obtained. Out of the 755 Universities, 560 Universities have either conducted the examination or are planning to conduct. Details are as follows: (i) 194 have already conducted examination (on-line/off-line); (ii) 366 are planning to conduct examination (on-line/off-line/blended mode) in August/September In addition, 27 Private

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*Universities, which were established during 2019-20 to till date, their first batch is yet to become eligible for final examination...."*

18.07.2020

It is further submitted that amid nationwide demand to scrap final year university exams due to the rising number of coronavirus cases, the Yuva Sena, which is the youth wing of the political party Shiv Sena, on 18.07.2020 filed a similar writ petition before this Hon'ble Court, challenging the decision of the University Grants Commission (UGC) to conduct final year exams.

19.07.2020

Hence, the instant Writ Petition.

**IN THE SUPREME COURT OF INDIA**

**[ORDER XXXVIII RULE (1)]**

**CIVIL ORIGINAL JURISDICTION**

**(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)**

**WRIT PETITION (CIVIL) NO.            OF 2020**

**IN THE MATTER OF:**

1. YASH DUBEY

S/O MR. SANJAY KUMAR DUBEY

R/O HOUSE NO. 304, NEAR WATER HEAD,

TELA JAMALPURA, BHOPAL (M.P.) - 462001

2. YOUTH BAR ASSOCIATION OF INDIA

B-3, JUNG PURA EXTENSION,

NEW DELHI-110017

...PETITIONERS

VERSUS

1. UNION OF INDIA

THROUGH MINISTRY OF HOME AFFAIRS,

NATIONAL STADIUM INDIA GATE,

NEW DELHI - 110001.

2. UNIVERSITY GRANTS COMMISSION,

2

THROUGH ITS SECRETARY HAVING OFFICE AT  
BAHADUR SHAH ZAFAR MARG, NEW DELHI-110002

3. MINISTRY OF HUMAN RESOURCE AND DEVELOPMENT,

THROUGH ITS SECRETARY,

DEPARTMENT OF HIGHER EDUCATION,

122-C, SHASTRI BHAWAN,

NEW DELHI-110001

.....CONTESTING RESPONDENTS

**WRIT PETITION UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA SEEKING ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS, ORDER OR DIRECTION OF SIMILAR NATURE TO THE RESPONDENTS TO TAKE IMMEDIATE AND EFFECTIVE ACTIONS TO PROTECT THE LIFE OF THE PETITIONER AND THOUSANDS OF SIMILARLY PLACED STUDENTS WHOSE BASIC RIGHT TO LIFE WHICH INCLUDES RIGHT TO HEALTH IS BEING VIOLATED IN VIEW OF THE NOTIFICATION DATED 06.07.2020 ISSUED BY THE MINISTRY OF HOME AFFAIRS AND THE REVISED GUIDELINES DATED 06.07.2020 ISSUED BY THE UNIVERSITY GRANT COMMISSION INTER ALIA PROVIDING FOR THE COMPULSORY CONDUCT OF FINAL TERM EXAMINATION AND**

**ALSO ISSUE A DIRECTION TO THE RESPONDENTS TO DEVISE AN ALTERNATIVE MODEL FOR ASSESSMENT OF THE FINAL YEAR STUDENTS IN WAKE OF CORONA VIRUS DISEASE OUTBREAK ('COVID-19') WREAKING HAVOC WITH MANKIND.**

To

The Hon'ble Chief Justice of India and

His Companion Judges of the Supreme Court of India

The humble petition of the Petitioner above named

**MOST RESPECTFULLY SHOWETH:**

1. The present writ petition, has been filed by the Petitioner Yash Dubey, who is a final year law student of the Career College of Law, Barkatullah University, Bhopal (M.P.) and is also the circle head of Madhya Pradesh (Student Wing) of the Youth Bar Association of India ("YBAI") seeking issuance of a writ in the nature of mandamus, order or direction of similar nature to the respondents to take immediate and effective actions to protect the life of the petitioner and thousands of similarly placed students whose basic right to life which includes right to health is being violated in view of the notification dated 06.07.2020 issued by the ministry of home affairs and the revised guidelines dated

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06.07.2020 issued by the university grant commission inter alia providing for the compulsory conduct of final term examination and also issue a direction to the respondents to devise an alternative model for assessment of the final year students in wake of corona virus disease outbreak ('COVID-19') wreaking havoc with mankind.

1 A. That, the Petitioner No. 2 is an association of public spirited, young and vigilant law students and lawyers, across the country, registered under Society Registration Act, 1860 bearing registration no. 24/2013-2014 and have Registered Office at: 2<sup>nd</sup> Floor, Savitri City Center, Jail Road Chauraha, Haldwani, District-Nainital, Uttarakhand and correspondence address at, B-3, LGF, Jangpura Extension, New Delhi-110014. The petition is being filed through its National President Student Wing, Mr. Rahul Kumar; the authority letter has been duly issued in his name on behalf of the society and is annexed alongwith the Vakalatnama. Law students from around 126 institution/colleges across the country are part of Petitioner No. 2's society. The Petitioner No. 2 has one student representative from each institution/college. The Petitioner No. 2 has worked for the welfare and skill enhancement of the students and young

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lawyers. Even during the lockdown, Petitioner No. 2 has not failed in taking steps for augmentation of knowledge of the young law students and lawyers across the country. That the Petitioner No. 2, even in these testing days, organised a 10-day virtual school on Mediation, which was joined by around 190 students from law schools across the country.

**1 B.** That, cause of action for filing the present writ petition arose on 06.07.2020 when the MHA notification dated 06.07.2020 and the Revised UGC Guidelines dated 06.07.2020 were issued, *inter alia* providing for the compulsory conduct of examination of the final year students, which will expose the examinees to a great risk and will amount to flagrant violation of basic principle of right to health which is an important facet of right to life.

2. The present writ petition has been filed by the Petitioners under Article 32 of the Constitution of India, *inter alia* seeking issuance of a writ of Mandamus, or any appropriate writ, order or direction to the Union of India through the Ministry of Home Affairs (Respondent No. 1, herein) and to the University Grant Commission (Respondent No. 2, herein), directing as under:

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- a. to provide for alternative mode of assessment of the final year students, in wake of Corona Virus disease outbreak ('COVID-19');
- b. to direct the Respondent No. 2 to call upon the universities to submit a set of parameters for evaluation of the students on the basis of students past performance;
- c. to promote the students on the basis of the performance in the previous semesters by taking an aggregate score for all the semesters and extrapolating them to calculate the marks for the final semester;
- d. to quash the notification dated 06.07.2020 issued by MHA (Respondent No. 1, herein) and subsequently the Revised UGC Guidelines dated 06.07.2020.

3. That the Respondent Nos. 1 to 3 are "State" in terms of Article 12 of the Constitution of India and as such are amenable to the Writ Jurisdiction of this Hon'ble Court.

4. In the above background, the factual background leading to the instant writ petition are being narrated hereinbelow for the kind consideration of this Hon'ble Court:



- i. The World Health Organisation ("WHO") on 11.03.2020 declared COVID-19 as a Pandemic. On 24.03.2020, to combat the pandemic, the Hon'ble Prime Minister of India announced a nationwide lockdown for 21 days, which was further extended by MHA on 15.04.2020 till 03.05.2020, on 01.05.2020 till 17.05.2020 and on 17.05.2020 till 31.05.2020.
- ii. That on 29.04.2020, UGC issued Guidelines on Examination and Academic Calendar for the Universities in view of COVID-19 Pandemic and subsequent lockdown, providing that the terminal semester(s)/ final year examinations may be conducted between 01.07.2020 to 15.07.2020.
- iii. That in order to meet the urgency, many colleges and university campus were made quarantine centres. In this regard, a copy of news articles are annexed herewith and marked as "Annexure P-1" (Page No. 33 to 42).
- iv. That, in view of increasing number of COVID-19 cases, many states like Madhya Pradesh, Rajasthan, Punjab and Maharashtra, announced cancellation of examination for final year students/self-promotion of the final year students.
- v. That on 06.07.2020, MHA permitted the conduct of examination by Universities and Institutions. The MHA in the

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said notification notified that the final term examinations are to be compulsorily conducted as per the Revised UGC Guidelines and as per the Standard Operating Procedure (SOP) approved by the Union Ministry of Health and Family Welfare. A copy of the notification dated 06.07.2020 issued by MHA, is annexed herewith and marked as "**Annexure P-2**" (Page No. 43).

vi. That on 06.07.2020, the Revised UGC Guidelines were issued, wherein it provided for conduction of terminal semester/final year examination by the end of September 2020, in offline (pen & paper)/online/ blended (online + offline) mode following the prescribed protocols guidelines related to COVID-19 pandemic. A copy of the Revised Guidelines dated 06.07.2020, is annexed herewith and marked as "**Annexure P-3**" (Page No. 44 to 47) and a copy of the letter dated 08.07.2020 issued by the Secretary UGC, is annexed herewith and marked as "**Annexure P-4**" (Page No.

48 to 55).

vii. That it is trite to note that the Revised UGC Guidelines are in flagrant violation of fundamental rights as it fails to take into consideration the economic, mental, physical and social plight of the examinees as they will be exposed to a great risk

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and will undeniably sacrifice basic principle of integrity by neglecting equal basis and treatment to all examinees. The conduct of offline exam will entail students (who have already travelled to their hometown) to migrate from one place to another, in order to attend the examination. This will also involve risk of staying in shared accommodation as various colleges and hostels have been converted into quarantine centres.

- viii. On 07.07.2020, in view of the increasing number of COVID-19 cases, the Government of Maharashtra wrote a letter to the HRD Ministry regarding the revised UGC guidelines on University exams and had argued that the UGC guidelines on exams and academic calendar should be "advisory" not "mandatory". They also said that they had already decided to cancel the final year university exams in view of the COVID-19 pandemic. A copy of the letter dated 07.07.2020 issued by the Government of Maharashtra to the Ministry of HRD (Respondent No. 3, herein) is annexed herewith and marked as "Annexure P-5" (Page No. 56-57).
- ix. On 09.07.2020, in view of the increasing number of cases COVID-19, the Principal Secretary of Department of Higher Education and School Education Department, Government of

West Bengal wrote to the HRD Ministry to re-examine the Guideline to conduct examination by end of September in the interest of the physical/mental well-being of students. A copy letter dated 09.07.2020 issued by the Department of Higher Education and School Education Department, Government of West Bengal addressed to the Ministry of HRD (Respondent No. 3, herein) is annexed herewith and marked as "**Annexure P-6**" (Page No. 58 to 61).

x. On 09.07.2020, in view of the increasing number of COVID-19 cases, the Government of Odisha wrote a letter to the HRD Ministry regarding the revised UGC guidelines on University exams and had requested to allow them to adhere to their decision of cancelling the University exams. A copy of the relevant news clipping is annexed herewith and marked as "**Annexure P-7**" (Page No. 62 to 64).

xi. On 10.07.2020, the Petitioner wrote a Letter Petition seeking *suo-moto* cognizance of this Hon'ble Court and further requesting this Hon'ble Court to keep the Revised UGC Guidelines and the MHA Notification dated 09.07.2020, in abeyance, until the COVID induced situation normalises. A copy of the Letter Petition dated 10.07.2020, is annexed

herewith and marked as "Annexure P-8" (Page No. 65 to 73  
11  
).

xii. On 11.07.2020, in view of the increasing number of COVID-19 cases, the Tamil Nadu Government wrote a letter to the HRD Ministry regarding the revised UGC guidelines on University exams requesting Central Government to grant "freedom to states to work out their own assessment methods, without compromising on the quality and academic credibility". They said that "they are not in a position to conduct college examinations for the final year/semester students in September 2020, as several educational institutions have been converted into COVID-19 care Centre. Such a move in the backdrop of the spread of coronavirus will jeopardise the future of students facing their final year/semester exams. A copy of Press Release dated 11.07.2020 regarding letter dated 10.07.2020 to HRD Ministry from Chief Minister, Tamil Nadu is annexed herewith and marked as "Annexure P-9" (Page No. 74 to 75).

xiii. On 11.07.2020, in view of the increasing number of COVID-19 cases, the Punjab Higher Education Minister wrote a letter to the HRD Ministry regarding the revised UGC guidelines on University exams requesting him to re-examine

the guidelines. He said that "Considering the large public interest of successfully containing the COVID-19 pandemic, allow the state government to implement the decision by not making the MHRD/UGC guidelines mandatory on the state government. A copy letter dated 11.07.2020 issued by the Punjab Higher Education Minister to the Hon'ble Prime Minister of India is annexed herewith and marked as "Annexure P-10" (Page No. 76 to 77).

xiv. On 11.07.2020, in view of the increasing number of COVID-19 cases, the Government of Delhi cancelled all upcoming examinations to be conducted in state universities, both for final and intermediate year/semester students. State universities have been asked by the state government to come up with "a set of parameters for evaluation on the basis of the students past performance" and award them degree. A copy of the relevant news clipping is annexed herewith and marked as "Annexure P-11" (Page No. 78 to 82).

xv. That further, it will be absolutely unjust to neglect the problems that will be faced by thousands of students, who will sit for online examination as the same will indubitably work against the interest of students whose access to internet is precarious and who do not have personal

computers or laptops in their house, which are imperative to conduct online examination. It is appalling to note that there have been incidences of suicide being committed by a student **after failing to attend online classes** in absence of smartphone and computer. A copy of the news article is annexed herewith and marked as "Annexure P-12" (Page No. 83 to 84).

xvi. That it is trite to note that the MHA Order and the Revised UGC Guidelines were being issued in complete disregard to the life, safety and health of thousands of students. The Revised UGC Guidelines not only provides for a model which is extremely dangerous for the lives of thousands of attendees (students of final-year/semester cohorts) but at the same time it is extremely dangerous for the Professors who will be invigilating the exams. In this regard, a copy of the newspaper article of Times of India, dated 19.04.2020, is annexed herewith and marked as "Annexure-P-13" (Page No. 85 to 86).

xvii. That it is relevant to note that the UGC has cited examples of top-ranking Universities such as MIT, Cambridge for conduction of examination during Covid-19 Pandemic. However, by doing so, the UGC has totally neglected the unprecedented difficulties that our country is facing in times

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of pandemic. To say the least, in these testing days, a section of our society is not able to arrange bread and butter for a day. Therefore, in view of the current difficulties that our country is facing, it is quite unrealistic to justify the reasoning of conduction of virtual examination by relying on examples of the premier institutions of the world. In this regard, a copy of an article published by 'The Print', is annexed herewith and marked as "Annexure P-14" (Page No. 87 to 91).

That in a Press Release issued by the UGC on 18.07.2020, it was stated that as many as 366 Universities are yet to plan to conduct examination (on-line/off-line/blended mode) in August/September 2020. A copy of the Press Release dated 18.07.2020, is annexed herewith and marked as "Annexure P-15" (Page No. 92). Thus, the number of students, college staff, professors and the parents will be exposed to a huge risk when the number of COVID-19 patients has already crossed 10.38 lakh and the IMA has recently stated that community spread has started in the country. A copy of the relevant extract of the news, in this regard, is annexed herewith and marked as "Annexure P-16" (Page No. 93 to 94).



xviii. It is further submitted that amid nationwide demand to scrap final year university exams due to the rising number of coronavirus cases, the Yuva Sena, which is the youth wing of the political party Shiv Sena, on 18.07.2020 filed a similar writ petition before this Hon'ble Court, challenging the decision of the University Grants Commission (UGC) to conduct final year exams.

In these circumstances, the Petitioner had no choice but to approach this Hon'ble Court for suitable directions to the Respondents so that the fundamental rights guaranteed to the people of this country under the Constitution are not violated.

5. That the Petitioner herein is approaching this Hon'ble Court under Article 32 of the Constitution of India, on *inter alia* the following grounds:

**GROUND**

A. BECAUSE the Revised UGC Guidelines are in sheer violation of the fundamental right of life enshrined under Article 21 of the Constitution, which includes within its ambit, Right to Health. This Hon'ble Court in *Assn. of Medical Superspeciality Aspirants & Residents v. Union of India, (2019) 8 SCC 607* has

in clear and categorical terms held that Right to Life includes Right to health.

B. BECAUSE the Revised UGC Guidelines are arbitrary, irrational unjust and unfair and is in complete violation of Article 14 of the Constitution. The said Guidelines fails to take into consideration the difficulties which will be faced by the students while appearing/making arrangements to appear in the examination, which will entail the students (who have already travelled to their hometown) to migrate from one place to another, in order to attend the examination. This will also involve risk of staying in shared accommodation as various colleges and hostels have been converted into quarantine centers;

C. BECAUSE the Revised UGC Guidelines are in flagrant violation of the fundamental rights as it fail to take into consideration the infrastructural disparities. It fails to consider that the conduct of online examination will indubitably work against the interest of students whose access to internet is precarious and who do not have personal computers or laptops in their house, which is imperative to conduct online examination. Certain cases of suicide have been reported due to failure of attending online classes due to lack of proper internet facilities, computer or laptops.

D. BECAUSE owing to the Covid induced lockdown, a lot of parents have undergone substantial pay cuts and even lay offs and in light of the same, it will be extremely difficult for a large section of the students to pay their examination fee or to bear stay and travel expenses to the source where the examination will be conducted.

E. BECAUSE the issue involved in the present matter is similar to the matter of *Amit Bathla v. Central Board of School Education, 2020 SCC OnLine SC 537*, wherein the issue concerning the conduct of examination of Class X and XII of CBSE and ICSE was involved and this Hon'ble Court vide Order dated 26.06.2020 was pleased to take on record the draft notification presented by CBSE and ICSE. The notification inter alia provides for cancellation of examination of classes X and XII, which were scheduled from 01.07.2020 to 15.07.2020. The notification presented by CBSE further provides for an assessment scheme as suggested by the competent committee of the CBSE, for declaration of result for both Class X and XII.

F. BECAUSE while India has already crossed the tally of 10.38 lakh and while number of states are bringing back lockdown of various types, the deadline of September 2020 for conduct of examination is unattainable and if the virus continues to spread,

no university/college administration will be in a position to announce examinations and the students will continue to be in a limbo about their future.

- G. BECAUSE in case the infection does not subside (which seems to be the real prospect as per the World Health Organization's latest communication), it would mean that the UGC either extends the deadline further or universities are forced to conduct online exams. This will take the students backwards rather than forward.
- H. BECAUSE it is baffling to note that just one semester of examination will be determinative of the integrity and value of a degree for which students worked hard for six to ten semesters, as the case may be and have also appeared for internal examinations for the sixth or tenth semester.
- I. BECAUSE the UGC is completely mistaken while citing examples of top-ranking Universities such as MIT, Cambridge in order to justify its reasoning for conduction of examination during Covid-19 Pandemic. By doing so, the UGC has totally neglected the unprecedented difficulties that our country is facing in times of pandemic. To say the least, in these testing days, a section of our society is not able to arrange bread and butter for a day.

Therefore, in view of the current difficulties that our country is facing, it is quite unrealistic to justify the reasoning of conduction of virtual examination by relying on examples of the premier institutions of the world. It is submitted that the system that these universities follow are largely accommodative of student's concern.

J. BECAUSE the direction regarding the compulsory conduct of examination are being issued while the entire country is suffering due to extremely emergent situation of health hazard which is also accompanied by disastrous situation in certain states like Assam, which is witnessing flood havoc, which makes it absolutely impossible for the students to appear for examination.

K. BECAUSE after the issuance of the MHA notification and the Revised UGC Guidelines several states including Delhi, Tamil Nadu, Punjab, Maharashtra, Odhisa and West Bengal have announced cancellation of all upcoming examinations to be conducted in state universities, both for final year/semester students. The Government of Delhi stated that the conduct of examination would be "unfair" as the teaching-leading process was hampered due to COVID-19. It has further , in wake of the increasing cases of COVID-19. The Government of Tamil Nadu

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stated that it is not in a position to conduct examination until September 2020, as several educational institutions have been converted into COVID-19 care centers.

- L. BECAUSE issuance of provisional degree for the final year students is the need of the hour and the repeated insistence on the conduction of final year examination in the current circumstances, is practically impossible and is altogether a discriminatory process, in. That insistence on the conduct of examination and non-issuance of provisional degree will jeopardize the future of students in their final year.
- M. BECAUSE the Revised Guidelines not only provides for a model which is extremely dangerous for the lives of thousands of attendees (students of final-year/semester cohorts) but at the same time it is extremely dangerous for the Professors who will be invigilating the exams.
- N. BECAUSE the present model of conduct of inline examination will give rise to an elitist culture where the advantage will go to the rich, who have access to online facilities and also to those institutions which are privileged to provide online facilities and online teaching.

O. BECAUSE this Hon'ble Court in the matter of **Assn. of Medical Superspeciality Aspirants & Residents v. Union of India, (2019) 8 SCC 607**, has in clear and categorical terms held that the right to health is integral to the right to life. The relevant portion of the said judgement is extracted hereunder, for the ready reference of this Hon'ble Court:

*"26. Right to health is integral to the right to life. Government has a constitutional obligation to provide health facilities [State of Punjab v. Mohinder Singh Chawla, (1997) 2 SCC 83 : 1997 SCC (L&S) 294] . The fundamental right to life which is the most precious human right and which forms the ark of all other rights must therefore be interpreted in a broad and expansive spirit so as to invest it with significance and vitality which may endure for years to come and enhance the dignity of the individual and the worth of the human person. The right to life enshrined in Article 21 cannot be restricted to mere animal existence. It means something much more than just physical survival. The right to life includes the right to live with human dignity and all that goes along with it, namely, the bare necessities of life such as adequate nutrition, clothing and shelter, and facilities for reading, writing and expressing oneself in diverse forms, freely*

*moving about and mixing and commingling with fellow human beings. Every act which offends against or impairs human dignity would constitute deprivation pro tanto of this right to live and the restriction would have to be in accordance with reasonable, fair and just procedure established by law which stands the test of other fundamental rights [Francis Coralie Mullin v. State (UT of Delhi), (1981) 1 SCC 608 : 1981 SCC (Cri) 212]"*

Further, this Hon'ble Court in the matter of ***Devika Biswas v. Union of India, (2016) 10 SCC 726***, has reiterated that right to health is an integral facet of right to life. The relevant extracts of the said judgement are provided hereunder, for the ready reference of this Hon'ble Court:

*107. It is well established that the right to life under Article 21 of the Constitution includes the right to lead a dignified and meaningful life and the right to health is an integral facet of this right. In CESC Ltd. v. Subhash Chandra Bose [CESC Ltd. v. Subhash Chandra Bose, (1992) 1 SCC 441 : 1992 SCC (L&S) 313] dealing with the right to health of workers, it was noted that the right to health must be considered an aspect of social justice informed by not only Article 21 of the*



*Constitution, but also the Directive Principles of State Policy and international covenants to which India is a party. Similarly, the bare minimum obligations of the State to ensure the preservation of the right to life and health were enunciated in Paschim Banga Khet Mazdoor Samity v. State of W.B. [Paschim Banga Khet Mazdoor Samity v. State of W.B., (1996) 4 SCC 37]*

- P. BECAUSE the suggested model of conduction of compulsory examination takes the students backwards rather than forward. It effectively brings in second phase of postponement of examination, which creates a cloud of uncertainty for thousands of students. It will serve as a barrier for the students, who had already received job offers, to join the work force and will also prevent them to augment their knowledge by going for higher studies.
- Q. BECAUSE the Revised UGC Guidelines will adversely affect the interest of the students who have received a pre-placement offer or who have secured post graduate admission in certain prestigious universities of the world. It can work as a factor which might lead to loss of jobs, loss of secured admission and in some cases loss of an academic year.

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6. The Petitioner herein craves the liberty of this Court to add, alter, modify or amend the grounds during the pendency of this Writ Petition, if necessary.
7. The Petitioner herein states that he has not filed a similar Writ Petition or any other Petition before this Hon'ble Court or any other Court/s involving the subject matter of this Petition, which is pending or has been disposed of.
8. This Hon'ble Court has the jurisdiction to entertain the present Writ Petition.
9. This writ petition is made bona fide and in the interest of justice.
10. That the annexure filed with the petition are true copies of the respective originals.

**PRAYER**

It is, therefore, respectfully prayed that this Hon'ble Court may be pleased to issue a writ or any appropriate order or directions to:

- a) Issue a writ of Mandamus, or any appropriate writ, order or direction to quash and set aside the notification dated 06.07.2020 issued by MHA (Respondent No. 1, herein) and subsequently the Revised UGC Guidelines dated 06.07.2020; and

- b) Issue a writ of Mandamus, or any appropriate writ, order or direction to the respondents to provide for alternative mode of assessment of the final year students, in wake of Corona Virus disease outbreak ('Covid-19); and
- c) Issue a writ of Mandamus, or any appropriate writ, order or direction to Respondent No. 2 to call upon universities to submit a set of parameters for evaluation of the students on the basis of students past performance and accordingly award provisional degrees to the students;
- d) Issue a writ of Mandamus, or any appropriate writ, order or direction to respondents to promote the students on the basis of the performance in the previous semesters by taking an aggregate score for all the semesters and extrapolating them to calculate the marks for the final semester; and
- e) Pass such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case.

DRAWN BY:

 FILED BY:

[RAJ KAMAL]

ADVOCATE ON RECORD FOR THE PETITIONERS

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NEW DELHI

FILED AND DRAWN ON: \_\_\_\_\_.07.2020

**IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA  
(PUBLIC INTEREST LITIGATION PETITION)  
WRIT PETITION (CIVIL) NO. OF 2020**

**IN THE MATTER OF:**

Mr. Yash Dubey & Anr. ....Petitioner

Versus

Union of India & Others .....Contesting Respondents

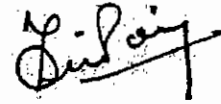
**AFFIDAVIT**

I, Mr. Yash Dubey, aged about 23 years, S/o Mr. Sanjay Kumar Dubey, R/o 304, Near Water Head, Tela Jamalpura, Bhopal (M.P.) – 462001, presently at Bhopal (M.P.), do hereby solemnly state and affirm as under:

1. That I am a final year student of B.A. LL.B (Hon's) of Career College of Law, Barkatullah University, Bhopal (M.P.) and I am fully conversant with the facts and circumstances of the present case.
  
2. That I have read and understood the contents of the accompanying Synopsis and the List of Dates (Page No. B to M) and the civil writ petition (Page No. 1 to 26) and Application for interim relief (Page No. \_\_\_ to \_\_\_) and Application seeking listing due to extreme urgency and exemption from filing duly affirmed affidavit (Page No. \_\_\_ to \_\_\_) and I state that the contents therein are true to my personal knowledge and nothing material has been concealed there from.

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3. That the annexures are true copies of their respective originals.

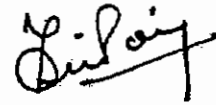


DEPONENT

**VERIFICATION:**

I, the above named Deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge, no part of it is false and nothing material has been concealed there from.

Verified at Bhopal on this 20<sup>th</sup> day of July 2020.



DEPONENT

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**IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA  
(PUBLIC INTEREST LITIGATION PETITION)  
WRIT PETITION (CIVIL) NO. OF 2020**

**IN THE MATTER OF:**

Mr. Yash Dubey & Anr. ....Petitioner

Versus

Union of India & Others .....Contesting Respondents

**AFFIDAVIT**

I, Mr. Rahul Kumar, aged about 22 years, S/o Dhananjay Kumar, R/o Cooperative Colony, Dipugarha, Hazaribag, Jharkhand presently a student of Law College Dehradun faculty of Uttaranchal University, do hereby solemnly state and affirm as under:

1. That I am National President of the Student Wing of the Youth Bar Association of India (Petitioner No. 2, herein) and I am fully conversant with the facts and circumstances of the present case and duly authorized by the Petitioner No. 2, to swear the instant affidavit.
2. That I have read and understood the contents of the accompanying Synopsis and the List of Dates (Page No. B to M) and the civil writ petition (Page No. 1 to 26) and Application for interim relief (Page No.      to     ) and Application seeking listing due to extreme urgency and exemption from filing duly affirmed affidavit (Page No.      to     ) and I state that

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the contents therein are true to my personal knowledge and nothing material has been concealed there from.

3. That the annexures are true copies of their respective originals.

*Rahul Kumar*  
DEPONENT

**VERIFICATION:**

I, the above named Deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge, no part of it is false and nothing material has been concealed there from.

Verified at Bhopal on this 20<sup>th</sup> day of July 2020.

*Rahul Kumar*  
DEPONENT



APPENDIX

Article 21 of the Constitution of India-

No person shall be deprived of his life or personal liberty except according to procedure established by law.

### Students, colleges in fix as hostels turn Covid centres

In a bid to increase its bed capacity, the state government is converting college hostels into Covid Care Centres.

Published: 02nd July 2020 06:47 AM | Last Updated: 02nd July 2020

06:47am



Students from Bangalore University vacate their hostel after authorities decided to turn the premises into a Covid centre | vinod Kumar T

By Pearl Maria D'Souza

Express News Service

BENGALURU: In a bid to increase its bed capacity, the state government is converting college hostels into Covid Care Centres. A hurried decision was taken on Tuesday, leaving both students and college managements in a tight spot. Student unions have claimed that students were asked to pick up their luggage and leave, on short notice. College administrations are expecting complete closure of campuses to facilitate turning hostels into quarantine centres, which not just delays resumption of academic activities but also spreads a sense of fear among students.

At the University Agricultural Sciences, GKVK, girls had to be hurriedly moved into the boys' hostel. "It was stressful," said UAS Vice-Chancellor Rajendra Prasad. The institute has three girls' hostels which can accommodate 600 inmates. While many have gone home, some researchers, including students from ICAR, Kota, and even foreign students, have stayed back to complete their experiments for Kharif crops.

Doctors started arriving on campus on Tuesday, leaving students agitated. Those who had left their belongings in the hostel and gone home, are struggling to move them to safer places. Many of them said they had left behind valuables. "There is a need to keep their belongings safe," said Students' Federation of India state secretary K Vasudevareddy. "Also, why are gender and caste minority hostels being used for this?"

The Postgraduate and Research Students' Union, Bangalore University, had also written to the V-C against converting hostels on the university campus into Covid facilities, when a team led by the vice-chancellor and BBMP commissioner inspected the hostels on June 29. Two girls' hostels in Bangalore University — BDA Hostel and North East Hostel — have been earmarked as quarantine centres for 200 inmates. Bangalore University V-C KR Venugopal said an oral request was made to the health department to take over the hostels only after all hotels in the city are filled up.

The university has decided to allow all teachers to work from home till July 31. This short notice has created tension among students, said Apoorva CM, vice-president, AIDS0 Bengaluru District Committee, adding that those who reside in districts like Kalaburagi, Bidar, Dharwad were deeply distressed. Citing practical difficulties due to the ongoing examination at its main campus, PES Institute of Technology has decided not to allocate hostels

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there. However, Chancellor Prof MR Doreswamy said the boys' hostel on the second campus at Electronics City and free to quarantine 100 inmates.

#### **Corona care in Seven more institutions**

With the number of coronavirus cases on the rise in Bengaluru, BBMP had decided to convert more institutions into Covid Care Centres, where those suspected to be infected and asymptomatic patients will be accommodated. The BBMP commissioner directed officials from these institutions to meet BBMP officials and undertake necessary measures

#### **No quarantine centre at IISc women's hostel**

A women's hostel at IISc was being considered for a quarantine centre, but the idea was put on hold after an unfavourable response from students. An IISc official said the initiative was for the welfare of students and the institute. IISc has already reported three positive cases on campus, and stopped re-entry of students. "The initial cases were among the staff. The management has released a circular warning about expulsion from hostels if students do not follow rules. How is that logical when a person under quarantine is asked to leave hostel?" a student said.

**7,000 beds Bangalore International Exhibition Centre, 10th Mile,  
Dasanapura, Tumakuru Main Road, Bengaluru**

**3,000 beds Palace Grounds, Ballari Road, Jayamahal**

**350 beds Jnana Bharathi, Ladies Hostel, Bangalore University, Mysuru  
Road**

**400 beds Jnana Bharathi, Ladies Hostel, Bangalore University North,  
Mysuru Road**

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**250 beds Koramangala Indoor Stadium**

**250 beds Hostels of Dayananda Sagar Univeristy, Kumaraswamy Layout**

**'College hostels converted into quarantine facilities'**

SPECIAL CORRESPONDENT

MAY 18,

2020 17:49 IST

UPDATED: MAY 18,

2020 17:49 IST

**Plan to isolate those coming from other States**

**THOOTHUKUDI**

With the influx of people from the northern States increasing heavily, the district administration has created quarantine facilities at 9 places in the district to isolate for two weeks those who are coming from other States, Collector Sandeep Nanduri has said.

Speaking to reporters here on Monday, Mr. Sandeep said hostels of 9 colleges had been converted into quarantine facilities with adequate number of beds and medical facilities as the number of returnees from Maharashtra, Gujarat, Delhi and Rajasthan was swelling everyday. A total of 700 beds had been created in these places.

He said the district administration had put in place all possible measures to ensure uninterrupted supply of essential commodities and the medicines to the residents in 11 containment zones in the district.

On giving e-passes to the SSLC students to enable them to write the public examination to commence on June 1, Mr. Sandeep said 800 SSLC students from

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the district and the teachers, who are all now stranded in other district, would be given e-pass ahead of the date of examination.

Of the 8,700 migrant workers in Thoothukudi district, 2,500 labourers had been sent back to their home States such as Bihar, Jharkhand and Uttar Pradesh in special trains, the Collector said.

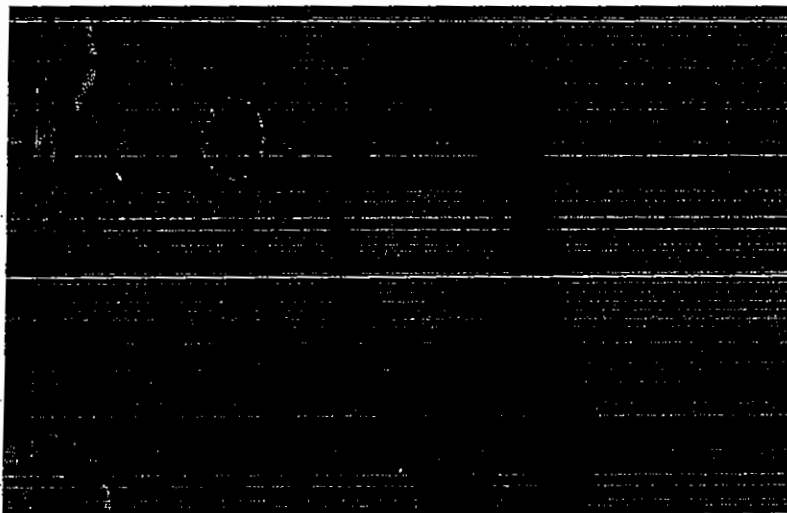
Since all government offices had been allowed to function following relaxation in lockdown, thermal scanners had been installed at the Collectorate.

**COVID-19: Assam University Asks Students To Collect Belongings As Hostels Become Quarantine Centres**

**Lockdown: Assam University administration will either shift students and staff or make arrangements for them.**

Education | Edited by Mridusmita Deka | Updated: May 24, 2020 8:38 pm IST |

Source: Careers360



New Delhi:

Assam University, or AU, Silchar, has asked residents of its hostels to collect their belongings from the hostel rooms to make way for COVID-19 quarantine centres.

As per a notice issued by Assam University, "boarders are allowed to take their belongings from the respective hostels on May 25 and May 26 between 10 am and 4pm".

The notice further added that boarders will be required to produce their identity cards at the security gate and make proper entry in the register. In case a student is not able to come, any authorised person with an authorisation letter can collect the belongings but must first produce a valid photo identity card.

For students who have already left and have no one to collect their belongings, the district administration will arrange for those items to be properly packed and marked and can be collected at a later date.

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**ASSAM UNIVERSITY::SILCHAR**  
**NOTICE**

Sub: Collection of belongings from student's hostel by boarders.

This is for information of all boarders of Assam University Student's Hostels that the District Disaster Management (DDM) in exercise of the power vested upon it vide section 34, subsection (a) and (j) of the District Disaster Management Act 2005 vide order no. DDMA/42/CHR/2020/Pat-11/19 dated 21.05.2020 has requisitioned all the Students hostel of the University for Quarantine Centres and COVID Care Centres in the University. The boarders of the University hostels are therefore allowed to take their belongings from their respective hostels on 25<sup>th</sup> and 26<sup>th</sup> May 2020 between 10 AM to 4 PM. No extension of time will be granted. Following guidelines are to be strictly adhered in regard to it.

1. The students have to bring their Identity Cards and produce the same at Security gate and make proper entry into Register and also to respective wardens before collection of items from the hostels.
2. In case any student is not able to come, then in absence of the student, authorized guardian (authorization letter by the student is a must) may collect the same by production of Adhar card/Voter Id Card/Passport of the authorized person. The authorized guardian should also carry Identity card of the students and the keys of the room of the concerned boarders. Authorized person should co-operate with University authorities for necessary checks and queries, if made.
3. Boarders or authorized guardians have to abide by norms of social distancing as notified by Government from time to time.
4. Boarders/Authorized persons visiting from outside the campus are not allowed to visit any other buildings/facilities of the University. They are also not allowed to visit any canteen in the University.
5. Boarders/authorized persons visiting from outside the campus are not allowed to meet any other Boarders/staff/guardians inside the campus.
6. Boarders who are not able to collect their belongings need not worry. District Administration shall open the doors of their hostel rooms and collect the items and separately pack and mark their belongings for collection at a later date to be notified later.
7. Boarders/Staff who are staying in hostel premise at present need not worry about their stay. University administration shall shift them or make proper arrangement as per protocol of quarantine centres as and when necessary as per advice and in consultation with District Administration.

This issues with the approval of the Vice-Chancellor,

Dr. Pradosh Kiran Nath  
Registrar i/c

Dated : 24.05.2020

F.No.AUR/21-1/2020/31

Copy to:

1. DSW/Wardens of various hostels for information and necessary action
2. President/General Secretary, AUSU for information and circulation amongst students.
3. All teachers/non-teaching staff for information.
4. Director, Computer Centre for uploading in University website.

Registrar i/c  
Assam University, Silchar

According to the data released by the Ministry of Health and Family Welfare, Assam has a total of 329 COVID-19 cases as on May 24.

With classes on hold and many hostel residents at home due to the coronavirus pandemic and the lockdown imposed to contain the spread of COVID-19, campuses of various educational institutes have been turned into quarantine shelters.

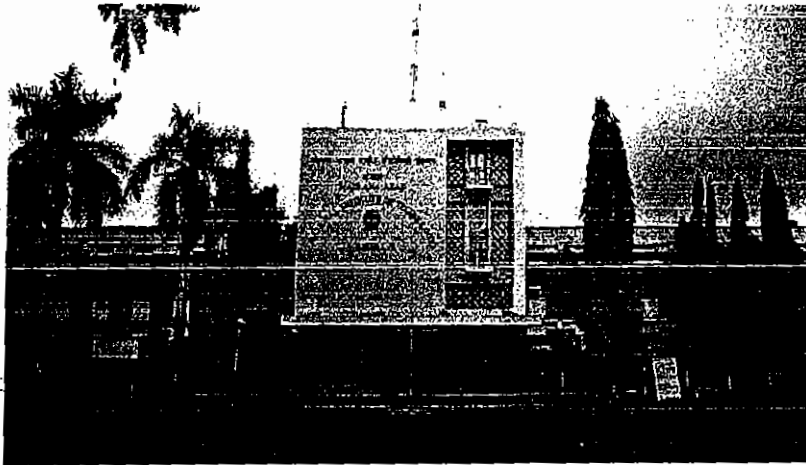


**MANIT hostels converted into quarantine centre: No assurance for safety of belongings, says student**

*As per the order issued, all buildings and rooms of MANIT were supposed to be sanitized and handed over to SDM TT Nagar Rajesh Shukla and this has left thousands of students with outrage and devastating stage.*

**By Venisha Sah**

Published on: Wed 10th June 2020, 08:56 PM



40

The Indian Institute of Technology Bombay, or IIT Bombay, Indian Institute of Management Shillong (IIM Shillong) hostels are some of the institutes functioning as quarantine centres in India.

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**New Delhi:** In view of the possibility of expected 48 thousand corona positive cases in Bhopal, the district administration started preparing the *Maulana Azad National Institute of Technology* (MANIT) the biggest quarantine center of the state, as per earlier reports.

Moreover, this was also being done due to the possibility of getting 10,000 active patients at the same time. The order had been issued by Additional Collector Ashish Vasistha. As per the order issued, all buildings and rooms of MANIT were supposed to be sanitized and handed over to SDM TT Nagar Rajesh Shukla. On May 27, 2020, 200-room Hostel Number-11 was already being handed over to the SDM.

After converting 300 hostel rooms in a quarantine centre, the management has left thousands of students with outrage and devastating stage. On the instructions of the district administration, Director Narendra Singh Raghuwanshi broke the locks of all the rooms of the hostel and put the belongings of the students in the warehouse and arranged for a bed to keep the relatives of the infected patients in the rooms.

**Over this, students of MANIT have protested against the decision by showing their rage on the twitter handle of the Bhopal Collector Tarun Pithode.**

On the condition of anonymity, one of the Engineering students told *Newsd* that he including every student is concerned about all important documents and laptops kept in the hostel rooms and states that "what will happen if something is lost or damaged, who will be responsible for that?"

No assurance has been given by anyone, the student said, "All the hostels are converted into quarantine centre without any assurance for the safety of our belonging inside the hostels.

All the students had left their rooms on 23th of March as per the order from the college to vacate the hostels."

The student also said, as the university hostels are made quarantine centre, the risk has been increased due to which the Ph.D. and M Tech. students are looking for places outside the campus on rent to stay in the city.

When asked about the response from the college administration, the student said "Students have talked to the administration but they just have one reply that during this situation we can't help and the local authorities have taken

over the college so it's impossible to stop them doing so. Faculty and college staff are also opposing this step because they also live inside the campus premises."

In protest against the action of the MANIT administration and the district administration, the students had sent an e-mail to the Prime Minister, Raj Bhavan and the President's Office, complaining and seeking intervention, and also took this to the twitter but so far no action has been taken in this matter.

"Yet no response from the local authorities has come regarding the issue and students are demanding that no hostel room should be taken for the quarantine centre as they already have departmental buildings and classrooms for the same", students said.

*Newsd* tried to reach out to the Registrar of the MANIT University to talk on this issue, however, he didn't respond.

The story will be updates as and when we hear from him.

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ANNEXURE - P-2

pib.gov.in

"5" (Home-MHA)

Press Information Bureau

- Government of India

\*\*\*\*\*

**Ministry of Home Affairs permits conduct of  
examinations by Universities and Institutions**

**New Delhi, July 6, 2020**

Ministry of Home Affairs, in a letter to Union Higher Education Secretary, today permitted conduct of examinations by Universities and Institutions. The final Term Examinations are to be compulsorily conducted as per the UGC Guidelines on Examinations and Academic Calendar for the Universities; and as per the Standard Operating Procedure (SOP) approved by the Union Ministry of Health & Family Welfare.

\*\*\*\*\*

NW/RK/PK/AD/DD

**UGC Revised Guidelines on Examinations and Academic Calendar for the Universities in view of COVID-19 Pandemic**

**Introduction**

The University Grants Commission (UGC) has issued Guidelines on Examinations and Academic Calendar for the Universities in View of COVID-19 Pandemic and Subsequent Lockdown on 29th April, 2020. In these Guidelines it was proposed to conduct the examinations in July 2020. The said Expert Committee was requested to revisit the Guidelines for Examinations and Academic Calendar as the number of COVID cases are still rising and likely to increase further. The Report of the Expert Committee was considered and approved by the Commission in its emergent meeting held on 6th July 2020.

In continuation to earlier Guidelines issued on 29.04.2020 and based on the Report of the Expert Committee, the following *Revised Guidelines on Examinations and Academic Calendar for the Universities in view of COVID-19 Pandemic*

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were also approved by the Commission in its emergent meeting held on 6th July 2020:

### **GUIDELINES**

In view of the emerging situation related to COVID-19 pandemic in India, it is important to safeguard the principles of health, safety, fair and equal opportunity for students. At the same time, it is very crucial to ensure academic credibility, career opportunities and future progress of students globally. Academic evaluation of students is very important milestone in any education system. The performance in examinations gives confidence and satisfaction to the students and is a reflection of competence, performance and credibility that is necessary for global acceptability.

#### **1. Mode of Terminal Semester/ Final Year Examinations (2019-20)**

The universities are required to complete the examinations by the end of **September, 2020** in offline (pen & paper)/ online/ blended (online + offline) mode following the prescribed protocols/ guidelines related to COVID-19 pandemic.



## **2. Provision of Examination through Special Chance**

In case a student of terminal semester/ final year is unable to appear in the examination conducted by the University for whatsoever the reason(s) may be, he/she may be given opportunity to appear in special examinations for such course(s)/ paper(s), which may be conducted by the university as and when feasible, so that the student is not put to any inconvenience/ disadvantage. The above provision shall be applicable only for the current academic session 2019-20 as a one-time measure.

## **3. Backlog of Papers in Respect of Terminal Semester(s)/ Final Year Students**

The students of terminal semester/ final year students having backlog should compulsorily be evaluated by conducting examinations in offline (pen & paper)/ online/ blended (online + offline) mode as per feasibility and suitability.

47

4. The guidelines regarding intermediate semester/ year examinations will remain unchanged as notified on 29th April, 2020.

5. The relevant details, if need be, pertaining to the Admissions and Academic Calendar in the universities and colleges shall be issued separately in place of those mentioned in the earlier guidelines issued on 29th April, 2020.

6. Notwithstanding the above guidelines regarding conduct of examination and commencement of next academic session, every university/ institution has to ensure that it is prepared in all respects to carry out the academic activities following necessary protocols/guidelines/directions/advisories issued by the Central/State Governments and MHRD/ UGC from time to time, in view of COVID-19.

## ANNEXURE - P-4



प्रो. रजनीश जैन  
सचिव  
Prof. Rajnish Jain  
Secretary



सत्यमेव जयते

विश्वविद्यालय अनुदान आयोग  
**University Grants Commission**  
(मानव संसाधन विकास मंत्रालय, भारत सरकार)  
(Ministry of Human Resource Development, Govt. of India)

बहादुरशाह जफर मार्ग, नई दिल्ली-110002  
Bahadur Shah Zafar Marg, New Delhi-110002

Ph.: 011-23236288/23239337

Fax: 011-2323 8858

E-mail: secy.ugc@nic.in

D.O.No.F.1-1/2020 (Secy)

8<sup>th</sup> July 2020

**Standard Operating Procedure (SOP) for Conduct of Examinations**

Respected Madam/Sir,

The University Grants Commission (UGC) vide letter dated 6<sup>th</sup> July, 2020 has issued 'UGC Revised Guidelines on Examinations and Academic Calendar for the Universities in view of COVID-19 Pandemic'. As per the letter the Universities have been asked to complete the conduct of Terminal Semester(s)/ Final Year examinations by the end of 30<sup>th</sup> September, 2020.

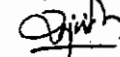
In addition, the Ministry of Human Resource Development, Government of India vide Office Memorandum F.No.16-16/2020-UJA, dated 6<sup>th</sup> July, 2020 has issued instructions for conduct of examinations wherein the MHRD has formulated detailed SOP for conduct of examinations with measures to be taken in view of COVID-19 situation, duly vetted by the Ministry of Health and Family welfare. A copy of the above mentioned Office Memorandum along with detailed SOP for Conduct of Examinations (Annexure-I) and UGC Revised Guidelines (Annexure-II) are enclosed for necessary action.

Looking forward for your kind cooperation.

With kind regards,

Encl.: As above.

Yours sincerely,

  
(Rajnish Jain)

To

1. The Vice Chancellors of all Universities
2. The Principals of all Colleges

Copy for kind information to:

1. The Principal Secretary/Secretary to the Governors of all States/Lt. Governors of all Union Territories.
2. The Principal Secretary/Secretary, Department of Higher Education, all State Governments/Union Territories

  
(Rajnish Jain)

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ANNEXURE-I

F. No. 16-18/2020-U1A  
Government of India  
Ministry of Human Resource Development  
Department of Higher Education


Shastry Bhawan, New Delhi  
Date the 6th July, 2020

OFFICE MEMORANDUM

**Subject: Instructions for conduct of examination –regarding.**

A large number of examinations of the Universities, IIT-JEE (Mains & Advance), NEET etc are scheduled to be held in the coming months. In order to ensure safety of the examinees, as also their academic interest, the following action may be taken.

1. Final Term Examinations should be compulsorily conducted as per UGC Guidelines on Examinations and Academic Calendar for the Universities dated 29.04.2020 which have been again resolved today i.e. 06<sup>th</sup> July, 2020.
2. All examination may be conducted by 30<sup>th</sup> September, 2020.
3. Taking into consideration the academic interest of large number of students, MHA has agreed to the request of MHRD and granted exemption for the opening of educational institutions for the purpose of holding examinations/ evaluation work for Final Term Examinations of the Universities/ Institutions.
4. MHRD has formulated detailed SOP for conduct of examinations with precautions to be taken in view of COVID – 19 situation. This has been vetted by the Ministry of Health and Family Welfare. A copy of the same is enclosed to ensure safety of all.
5. Previous instructions regarding "Work From Home" sent vide letter dated 30.06.2020 will not apply to the officers, faculty and non-Teaching Staff who are involved in Examination/Evaluation/Admission work.

  
(Vidya Sagar Rai)

Under Secretary to the Govt. of India

Ends: As above.

To:

1. Prof. D. P. Singh, the Chairman, University Grants Commission, New Delhi.
2. Prof. Anil D. Sahasrabudhe, the Chairman, AICTE, New Delhi.
3. Shri Vinod Joshi, Director General, NTA, Noida, (UP).

Copy to: The Chief Secretaries/Secretary(Education) of States/UTs.

CC:

1. Shri Ajay Kumar Bhalla, Home Secretary, North Block, New Delhi.
2. Ms. Preeti Sudan, Secretary, M/o Health and Family Welfare, Nirman Bhawan, New Delhi.
3. PS to HRM.

  
(Vidya Sagar Rai)

Under Secretary to the Govt. of India

## Guidelines for Conduct of Examinations

### Background

Universities and other educational institutions across the country have been closed since 16<sup>th</sup> March, 2020, as one of the measures to contain the COVID-19 outbreak. In April, 2020, the University Grants Commission (UGC), has issued "Guidelines on Examinations and Academic Calendar for the Universities in View of COVID-19 Pandemic and Subsequent Lockdown". In these guidelines it was proposed to hold the examination from July, 2020 onwards. The Guidelines provided various options for conduct of examinations to be decided finally by the University.

Presently, several universities have already conducted/planned the examinations in online/offline (pen & paper)/ blended (online + offline) mode.

Top ranking universities of the world have opted for the final exams to be done remotely. Like Princeton and MIT (USA); University of Cambridge, Imperial College of London (UK); University of Toronto and McMaster (Canada); University of Heidelberg (Germany); and University of Hong Kong have resorted to the online technology based mode of examinations. International universities like National University of Singapore, University of Adelaide of Australia, Oxford University for Final Semester have scheduled their exams in take home format. Alternative form of assessment like Open Book, Term Paper, Continuous Assessment, Presentations, Assignments, time-limited exams have been preferred as a substitute for exam in select countries of Asia and Europe.

### Rationale

In order to safeguard the larger interests of students related to their academic and career progression, particularly those who are in their terminal semester/final year, the institutions are required to chart out a plan for conduct of examinations in online/offline (pen & paper)/ blended (online + offline) mode, after making a comprehensive assessment of their level of preparedness, residential status of the students, status of COVID-19 pandemic spread in different region/ state and all other such factors, to deal with any sort of emergency. The performance in examinations brings in scholarships and awards and translates into better job placement. This would not only give them more confidence and satisfaction, but also ensure merit and lifelong credibility.

### Some Concerns

The higher educational institutions should address the following concerns:

1. The implementation of instructions and directives regarding safety and health issues by the central and state government departments.
2. Uncertainty among students regarding modes of teaching learning, completion of courses, examinations, evaluation, declaration of result, academic calendar, admissions, opening of institutions, etc.

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3. Anxiety and stress developed during lockdown period and fear of COVID-19 after opening of campuses.
4. Safety measures including sanitisation of premises, thermal screening, ensuring physical distancing, mask wearing, hand washing etc.
5. Preparation for risk assessment and subsequent actions which varies - whether the institution is fully residential, partially residential or non-residential. The higher risk and bigger challenge is faced by non-residential institutions where the students will leave daily and come back next day.
6. Besides students, the risk of serious illness due to COVID-19 is faced by the faculty, counsellors, and other technical and non-teaching staff who face the students regularly.

#### Standard Operating Procedure for conduct of Examinations

1. The instructions, guidelines and orders issued by the central and state governments concerning the opening of educational institutions and safety and health should be abided by the universities and colleges. However, they may develop more stricter provisions and guidelines, if they find it necessary.
2. In case there is a restriction on movements in certain areas, admit/identity cards issued to the students should be treated as a pass for the movement of students. State Governments should issue instructions to all local authorities to issue movement passes to invigilators and all personnel engaged in the conduct of examination.
3. Entire examination centre floors and walls, doors, gates, should be sprayed with disinfectant.
4. Fresh mask and gloves to be used by exam functionaries after staff verification is done.
5. Sanitizer bottles should be arranged at the entry gate, examination rooms, staff/observer room, etc. and should be replenished regularly.
6. All liquid handwash bottles should be replenished in restrooms and entry gate whenever required.
7. Candidate Seating Area should be thoroughly sanitized (desk and the chair) after every session.
8. All the washrooms should be cleaned and disinfected.
9. All door handles, staircase railing, lift buttons, etc. should be disinfected.
10. Wheelchairs, if present at the examination centres, should be disinfected.
11. All the trash bins should be cleaned.
12. Staff verification and self-declaration as suggested below must be done as soon as they report at the Centre.
  - a. Exam functionary must submit self-declaration about health status.
  - b. Thermo gun temperature check must be done at staff entrance point.
  - c. If any Examination functionary fails to meet the self-declaration criteria, or thermo gun check, he/she will be asked to leave the examination centre immediately.
  - d. Exam functionary needs to wear the mask and gloves at all time.
13. Cleanliness and hygienic conditions as per safety and health advisories of the concerned government departments are to be maintained at all places.
14. Proper signages, symbols, posters etc. should be displayed at appropriate place to maintain social distancing.

- 15. Downloading of 'Arogya Setu' App may be advised for every staff and student of the university and college.
- 16. Adequate arrangements of thermal scanners, sanitizers, facemasks, and hand gloves at all entry and exit points including the reception area. Wherever possible, students should be given fresh face masks by the Invigilators in the examination room itself.
- 17. Avoid crowding at entry and exit points.
- 18. Opening all the gates, of entry and exit, in case HEIs have more than one gate.
- 19. Senior staff should monitor the entry and exit. There should be proper markings with at least 2 meter distance where students stand while waiting for opening of the college gate. Exit of students should be permitted one by one only.
- 20. Thermal Screening of students, wearing of face mask, sanitizing of hands etc. be ensured.
- 21. The invigilators, while on duty, should be continuously wearing mask, and proper hand gloves.
- 22. The students should be asked to sanitize their hands before and after signing the Attendance Sheet.
- 23. Students having symptoms of fever, cough and cold should be either made to sit in a separate room or given a chance to appear on another day.
- 24. Hand washing stations with facilities of liquid soap should be made available so that every student can wash her/his hand frequently.
- 25. Keeping in view the physical distancing, institutions should have adequate rooms capacity to meet the proper seating arrangement for examination. Minimum distance between two students should be 2 meters. Sample seating plan is annexed.
- 26. Adequate arrangements for safe drinking water be made on the campus.
- 27. Adequate supply of water in toilets and for hand washing be ensured.
- 28. Dustbins must be cleaned and covered properly.
- 29. Proper sanitization of buses, other transport and official and vehicles of the institution.
- 30. At the end of the day-
  - a. Used gloves and masks should be disposed only in a pedal push covered bin at the Examination Centre and outside the examination room/hall.
  - b. Safely dispose off all used masks and gloves discarded at the examination centres or outside the examination centre in trash bin bags at suitable place and as per standard guidelines issued by health authority.
- 31. Maintain record of all exam functionaries
  - a. Record of all exam functionaries will be maintained in the system for future reference and traceability.
  - b. Invigilator records are maintained in the system through staff verification processes.

Name and number of other staff such as Housekeeping, Security Guards, etc will be maintained.

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Annexure

SAMPLE SEATING PLAN

Col.1	Col.2	Col.3	Col.4
Candidate's Roll No.	Candidate's Roll No.	Candidate's Roll No.	Candidate's Roll No.
1	4	7	10
Empty	Empty	Empty	Empty
2	5	8	11
Empty	Empty	Empty	Empty
3	6	9	12
Empty	Empty	Empty	Empty





54  
Annexure-II

## UNIVERSITY GRANTS COMMISSION

### UGC Revised Guidelines on Examinations and Academic Calendar for the Universities in view of COVID-19 Pandemic

#### Introduction

The University Grants Commission (UGC) has issued Guidelines on Examinations and Academic Calendar for the Universities in View of COVID-19 Pandemic and Subsequent Lockdown on 29<sup>th</sup> April, 2020. In these Guidelines it was proposed to conduct the examinations in July 2020. The said Expert Committee was requested to revisit the Guidelines for Examinations and Academic Calendar as the number of COVID cases are still rising and likely to increase further. The Report of the Expert Committee was considered and approved by the Commission in its emergent meeting held on 6<sup>th</sup> July 2020.

In continuation to earlier Guidelines issued on 29.04.2020 and based on the Report of the Expert Committee, the following *Revised Guidelines on Examinations and Academic Calendar for the Universities in view of COVID-19 Pandemic* were also approved by the Commission in its emergent meeting held on 6<sup>th</sup> July 2020:

#### GUIDELINES

In view of the emerging situation related to COVID-19 pandemic in India, it is important to safeguard the principles of health, safety, fair and equal opportunity for students. At the same time, it is very crucial to ensure academic credibility, career opportunities and future progress of students globally. Academic evaluation of students is very important milestone in any education system. The performance in examinations gives confidence and satisfaction to the students and is a reflection of competence, performance and credibility that is necessary for global acceptability.

#### 1. Mode of Terminal Semester/ Final Year Examinations (2019-20)

The universities are required to complete the examinations by the end of **September, 2020** in offline (pen & paper)/ online/ blended (online + offline) mode following the prescribed protocols/ guidelines related to COVID-19 pandemic.

#### 2. Provision of Examination through Special Chance

SS

In case a student of terminal semester/ final year is unable to appear in the examination conducted by the University for whatsoever the reason(s) may be, he/she may be given opportunity to appear in special examinations for such course(s)/ paper(s), which may be conducted by the university as and when feasible, so that the student is not put to any inconvenience/ disadvantage. The above provision shall be applicable only for the current academic session 2019-20 as a one-time measure.

**3. Backlog of Papers in Respect of Terminal Semester(s)/ Final Year Students**

The students of terminal semester/ final year students having backlog should compulsorily be evaluated by conducting examinations in offline (pen & paper)/ online/ blended (online + offline) mode as per feasibility and suitability.

4. The guidelines regarding intermediate semester/ year examinations will remain unchanged as notified on 29<sup>th</sup> April, 2020.
5. The relevant details, if need be, pertaining to the Admissions and Academic Calendar in the universities and colleges shall be issued separately in place of those mentioned in the earlier guidelines issued on 29<sup>th</sup> April, 2020.
6. Notwithstanding the above guidelines regarding conduct of examination and commencement of next academic session, every university/ institution has to ensure that it is prepared in all respects to carry out the academic activities following necessary protocols/guidelines/directions/advisories issued by the Central/State Governments and MHRD/ UGC from time to time, in view of COVID-19.

ANNEXURE - P-5

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424/12020

मंत्री

उच्च व तंत्रशिक्षण

महाराष्ट्र राज्य

मंत्रालय, मुंबई ४०० ०३२

दिनांक : 21/7/20

To,  
Shri Ramesh Pokhriyal,  
Minister of Human Resource Development,  
Government of India,  
New Delhi - 110002.

Dear Sir,

In view of current COVID-19 pandemic crisis, the Government of Maharashtra accepted the report of the State Level Committee and promoted the students of intermediate semester/year except terminal semester/final year. The State Disaster Management Authority, after taking review of COVID-19 pandemic situation in the month of June was of the opinion that final terminal examinations also cannot be conducted in the state. Hence, the said authority took deliberate and conscious decision to award UG/PG degree to the students on the basis of appropriate evaluation formula to be devised by the concerned universities in the larger interest of physical/mental wellbeing and betterment of students. This decision was in line with the then guidelines of UGC dated 29<sup>th</sup> April, 2020 wherein clause 8 (i) enables universities to adopt the UGC guidelines by making alterations/additions/modifications/amendments to deal with particular situation in the best interest of students. Also these UGC guidelines empowered the state government to issue directions to universities/colleges regarding conduct of examinations.

Accordingly the Department of Higher and Technical Education of Maharashtra State issued directions vide Government Resolution dated 19<sup>th</sup> June, 2020. In view of ensuring better career opportunities and future progress globally, students were given option of appearing for exams to improve the grades. Such grade improvement exams shall be conducted in consultation with the District Disaster Management Authority by the concern universities considering the COVID-19 pandemic situation prevailing at that time in the district.

Hon'ble Chief Minister of Maharashtra requested Hon'ble Prime Minister to direct apex regulatory bodies for professional courses to endorse State Government decision and issue uniform guidelines to universities. The Department of Higher and Technical Education of Maharashtra State also requested the concerned councils of professional courses to convey concurrence to the decision taken by the State.

At present, the COVID-19 pandemic has created many challenges in all sectors including education. India has reported 3<sup>rd</sup> largest number of COVID-19 cases in the world. The situation in India may become more adverse and the number would rise. Maharashtra is the worst affected state with more than two lakh cases confirmed so far.

S.7

In such unforeseen, uncertain and critical challenging situation, conduction of final year exams of approximately more than ten lakh students seems highly infeasible task and if conducted, would endanger the wellbeing of students, parents, teachers, supporting staff and other machinery involved in the process. Most of the Educational institutes, hostels and other facilities have been acquired by the administration for quarantine and other covid purposes. Due to this pandemic situation, most students will have travelled back to their home towns. Hence to appear for exams students have to travel back to cities/town, wherein their travel, accommodation, food etc. will be the biggest concern and may hamper the health. There have been incidences in other states and countries wherein exams were conducted and large number of students got infected by the virus. Hence, I had earlier pleaded UGC to cancel final year exams vide letter dated 17<sup>th</sup> May, 2020 citing the pandemic situation.

Punjab, Haryana, Rajasthan, Odisha, Tamil Nadu, West Bengal, Puducherry have taken decision not to conduct terminal exams. Even IIT Mumbai, Kharagpur, Kanpur, Roorkee have also cancelled their final semester exams. To ensure academic credibility, career opportunities, future prospects and simultaneously to safeguard principles of health, safety, fair and equal opportunity for students; Government of Maharashtra in consultation with the Vice-Chancellors of universities and all concerned stakeholders, has arrived at the decision to award degree certificates based on evaluation of student's performances of previous semesters and internal assessment, since conduction of examination by others modes (online/offline/blended) is not feasible. Also to ensure confidence, satisfaction, competence, performance and credibility, willing students have been given the opportunity to improve grade by appearing for exams, which would be conducted when situation becomes conducive to conduct exams.

I am of the opinion that the revised guidelines issued by UGC dated 6<sup>th</sup> July, 2020 are not mandatory but mere advisory like the earlier guidelines. In view of above facts and uncertainty of pandemic crisis, I kindly request and hope that in the interest of physical/mental wellbeing of students and future prospects, you will issue uniform guidelines about awarding degrees to final year students based on appropriate formula, as since the students are the pivotal soul of the entire educational ecosystem.

Thanking you,

Yours Sincerely

  
(Uday Samant)

**Copy to:-**

1. Shri. Amit Shah, Union Home Minister, Government of India, Ministry of Home Affairs, North Block, New Delhi, India-110001.
2. Secretary, Higher Education, Government of India.
3. Prof.D.P.Singh, Chairman, University Grants Commission, (UGC), Bahadur Shah Zafar Marg, New Delhi- 110002.

**Copy for information:-**

1. Shri. Uddhavji Thackeray, Chief Minister, Maharashtra State, Mantralaya, Mumbai- 400 032.
2. Shri. Ajit Pawar, Deputy Chief Minister, Maharashtra State, Mantralaya, Mumbai- 400 032.

SB

ANNEXURE - P-6

*Munish Jain, IAS*  
Principal Secretary



Department of Higher Education  
Government of West Bengal

No.16-Pr.Secy-HED/2020

Dated 9<sup>th</sup> July, 2020

To  
Shri Amit Khare, IAS  
Secretary, Department of Higher Education  
Ministry of Human Resources Development  
Government of India  
122-C, Shastri Bhawan  
New Delhi 110001

**Sub: Instructions for conduct of examinations given by MHRD (Department of Higher Education)/ Revised guidelines on Examinations and Academic Calendar issued by UGC.**

**Re: 1. Office memorandum no. F.No.16-16/2020-U1A of MHRD (Department of Higher Education) on Instructions for conduct of examinations**

**2. UGC Guidelines dated 29 April 2020 and UGC Revised Guidelines dated 6<sup>th</sup> July 2020.**

Dear Sir,

Kindly refer to the above letters issued by UGC and MHRD on the subject. In view of Department of Higher Education, Ministry of Human Resource Development reiterating that the revised guidelines issued by UGC to all Universities/Colleges for conducting final semester(s)/year examinations by September, 2020 in line with the Guidelines issued by UGC dated 29.04.2020, I would like to draw your kind attention to the para 8(i) and para 8(iii) page 10 of the said guidelines dated 29.04.2020, which are reproduced again as below:

**Para 8(i)**

*The universities may adopt and implement these guidelines in a transparent manner by making alterations/editions/modifications/amendments to deal with particular situation(s) in the best interest of students, educational institution and the entire education system.*

---

Bikash Bhavan, Sector -I, Salt Lake, Kolkata - 700 091  
Telephone No. 91-33-2337-8573, Fax No. 91-33-2358-7266, E-mail : secy.hesbt-wb@gov.in

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**Para 8(iii)**

*In case of educational institutions located at places where the Government (Centre/State) have imposed restrictions on gathering of public, the institutions may plan accordingly. In any case, the above recommendations shall not cause any restrictions on the guidelines/directions issued by the appropriate government/competent authority.*

It would be clear from above that while UGC vide its guidelines issued on 29.04.2020 provide required flexibility to the Universities/Colleges and does not cause any restrictions on the guidelines/directions issued by the appropriate Government/competent authority, the revised guidelines issued on 6th July tends to mandate the Educational Institutions across the country for conducting the Examinations by September, 2020, which is surely at variance with the guidelines issued earlier.

2. With the current trend of rise in the COVID cases since April, 2020 and the study done by the world leading Institution, we are not sure whether the situation will be conducive for the conduct of off line examinations by September in a vast country like India. Besides, by going through the Statistics of the Government of India on digital access across the country, it will not be appropriate to hold on line exams, which would be discriminatory against a large section of the students, especially poor and rural students, who do not have access to the internet, computers etc.

3. In such unforeseen, uncertain and challenging situation, when most of the Educational institutions are being used as Quarantine centres and for other COVID purpose along with restrictions on the movement of trains, air planes, the Cyclone Amphan etc, our State Government, after extensive consultation with the Vice Chancellors of all Universities, other stakeholders in the education sectors, considering the prevailing situation caused by COVID-19 Pandemic and in the interest of the Students' health, safety & future, issued an advisory to all the State Aided Universities/Colleges of the State of West Bengal read with para 8(iii), page 10 and para 1, page 10 of the guidelines issued by the UGC dated 29.04.2020. Our

advisory provides due weightage to the internal assessment and the performance of the candidate in the previous semesters in order to ensure transparency. Besides, our advisory has a provision for holding special exams after the situation gets normalised, for such students, who wish to appear in a formal examination instead of alternate evaluation method.

It would be clear from above that the above advisory is in consonant with the guidelines issued by the UGC dated 29.04.2020. Besides, the provision of weightage for the performance in the previous semesters (which are based on earlier written examinations only) and a due weightage to the internal assessment are in line with the practices adopted by the select countries of Asia and Europe (Kindly refer last line of para 3 of the title Background in the guidelines for the conduct of examinations issued enclosed with the latter dated 8th July of UGC. It may be mentioned here that the Universities/Colleges aided by the State of West Bengal have already acted upon the advisory issued by the State Government and it will be very difficult to undo such actions. The students, their parents and other stakeholders have overwhelmingly appreciated the advisory of the State Government. In fact, we are receiving hundreds of mails from the students, teaching community raising their concern of holding online/offline/blended form of exams as proposed by the UGC in such prevailing situation. They have requested the State Government to take up the matter with the Government of India, on priority, for its reconsideration.

4. In view of what is stated above, conducting the examinations for the terminal semester(s)/year by 30 September 2020 will not only delay the results of such examinations but also be detrimental to the career and cause financial distress to many students who are dependent upon securing a job in order to sustain themselves and their families. It will also prevent students from applying for further higher studies or entrance examinations, nationally and internationally, thereby demoralising them and their families. Several countries such as Japan, England and Canada have completely restricted their academic activities during this pandemic. Besides, States like Punjab, Maharashtra, Odisha, Tamil Nadu, Rajasthan, Puducherry have already decided not to conduct the terminal exams. Institutes like IIT Mumbai, Kanpur, Kharagpur and Roorkee have also cancelled their final year

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exams. This decision to conduct examinations by September 2020, will thus not only affect public health but also have an economic impact on students who would be put at a disadvantage vis-a-vis students of other autonomous universities or students of other countries.


5. Mentioning statement like Final Term examinations should be compulsorily conducted as per the revised guidelines of UGC, by the Ministry of HRD (Department of Higher Education) vide its OM dated 6th July, is only against the spirit of the federal structure enshrined in the Constitution of India as 'Education' is placed in the concurrent list and the State was never consulted by UGC despite sending a request for consultation with respect to framing of such guidelines vide this office D.O. no 08-Pr.Secy-HED/2020 dated 18 April 2020 to the Secretary, UGC.

Therefore in view of what is stated above, I would sincerely request you to kindly re-examine the entire matter in the interest of physical/mental wellbeing of the students and future prospects. In order to ensure the interest of the students at National/International level, the State Government be allowed to implement its own decision by not making the MHRD/UGC revised guidelines dated 06.07.2020 mandatory on the State Government.

We sincerely look forward to a positive response.

Regards

Yours faithfully,

  
09/07/2020  
(Manish Jain)



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# ANNEXURE - P-7

19/07/2020

Final Year Exams: Odisha Writes To HRD Ministry To Reconsider UGC Guidelines On Exams

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## Odisha Government Writes To HRD Ministry To Reconsider Revised UGC Guidelines On Exams

Odisha Government has written a letter to Education Ministry regarding the revised UGC guidelines on University exams.

Education | Edited by Anvika Kumari | Updated: Jul 10, 2020 9:11 am IST

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Odisha has written to MHRD to reconsider UGC's decision on university exams

**New Delhi:** Odisha Government has written a letter to Education Ministry regarding the revised UGC guidelines on University exams. The Directorate of Higher Education (DHE), Odisha tweeted that the state government has requested to be allowed to adhere to its decision of cancelling the University exams.

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19/07/2020

Final Year Exams: Odisha Writes To HRD Ministry To Reconsider UGC Guidelines On Exams

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guidelines of UGC and not to make conduct of UG & PG final term exams mandatory. MHRD has been requested to allow the State Government to adhere to its decision of cancellation of these exams," DHE Odisha tweeted from its social media handle.

ଉତ୍କଳ ବିଦ୍ୟାଳୟ, ଓଡ଼ିଶା ସରକାର  
@DHE\_Odisha

State Government has today sent a letter to MHRD requesting to reconsider the revised guidelines of UGC and not to make conduct of UG & PG final term exams mandatory. MHRD has been requested to allow the State Government to adhere to its decision of cancellation of these exams.

6:21 PM · Jul 9, 2020

Odisha government had cancelled all pending exams of UG and PG final semester/year in view of the Covid-19 situation. The exams were cancelled for all courses except the Professional courses.

UGC, after being asked by the Education Ministry to review its exam guidelines, released revised guidelines to conduct university exams for the final semester/year. The Commission has set the deadline to conduct final year exams by September 30.

The Commission maintained its previous order that Universities may go for pen-paper exam, online exam, or a blended form of both.

UGC justified its decision to go ahead with the exams citing examples of several top ranking universities in the world like Princeton, MIT, University of Cambridge, Imperial College of London, University of Toronto and McMaster, University of Heidelberg and University of Hong Kong that have resorted to the online technology-based mode of examinations.

Commission's decision to go ahead with the exams has not gone unopposed.

Maharashtra Higher and Technical Education Minister Uday Samant said that the revised

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19/07/2020

Final Year Exams: Odisha Writes To HRD Ministry To Reconsider UGC Guidelines On Exams

LATEST EXAMS SCHOOL CAMPUS

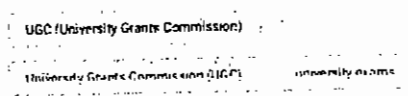
Prof. Sukhdeo Thorat, former UGC Chairman, said that the decision was 'unfortunate' and has caused 'fresh uncertainty' among the students by extending the deadline to conduct exams till September.

Punjab CM, on July 9, said that he would write to Prime Minister Narendra Modi to review UGC's decision to conduct pending examinations.

"We cannot risk the health of our students and, therefore, a pragmatic approach must be adopted," he said.

West Bengal Higher Education Department has also objected to the advisory of the central government. West Bengal Principal Secretary Manish Jain too wrote a letter to HRD Ministry and asked to re-examine the matter in the interest of the physical and mental well-being of students amid the present COVID-19 situation.

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ANNEXURE - P-8

**THE HON'BLE CHIEF JUSTICE OF INDIA AND OTHER**  
**COMPANION JUDGES OF THE HON'BLE SUPREME COURT**  
**OF INDIA**

**SUBJECT: LETTER PETITION**

Lordships,

The Applicant most respectfully showeth:

1. That with utmost respect to this Hon'ble Court, the Applicant, as a final year law student, beg to submit that vide notification dated 06.07.2020, the Ministry of Home Affairs ('MHA) permitted the conduct of examination by Universities and Institutions. The MHA in the said notification has notified that the final term examinations are to be compulsorily conducted as per the University Grant Commission's ('UGC') Guidelines on Examination and Academic Calendar for the Universities; and as per the Standard Operating Procedure ('SOP') approved by the Union Ministry of Health and Family

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Welfare. A copy of the notification dated 06.07.2020 issued by MHA, is annexed herewith and marked as "**Annexure A**".

2. That the UGC has issued revised guidelines on examination and Academic Calendar for the Universities on 06.07.2020 ("Revised Guidelines") wherein it has provided for conduction of terminal semester/final year examination by the end of September 2020, in offline (pen & paper)/online/blended (online + offline) mode following the prescribed protocols guidelines related to COVID-19 pandemic. A copy of the Revised Guidelines dated 06.07.2020, is annexed herewith and marked as "**Annexure B**" and a copy of the letter dated 08.07.2020 issued by the Secretary UGC, is annexed herewith and marked as "**Annexure C**".

3. That it is most humbly stated that the revised guidelines are in sheer violation of the fundamental rights enshrined in the Constitution of India, as it fails to consider the principles of health, safety, fair and equal opportunity for the students.

4. That in view of unprecedented health emergency and rising numbers of the Covid-19 cases in the country, the

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conduct of examination (either online/offline/blended) will expose the examinees to a great risk and will undeniably sacrifice basic principle of integrity by neglecting equal basis and treatment to all examinees. The conduct of offline exam will entail students (who have already travelled to their hometown) to migrate from one place to another, in order to attend the examination. This will also involve risk of staying in shared accommodation as various colleges and hostels have been converted into quarantine centers. In this regard, copy of news articles are annexed herewith and marked as **"Annexure D"**.

5. That further, it will be absolutely unjust to neglect the problems that will be faced by thousands of students, who will sit for online examination as the same will indubitably work against the interest of students whose access to internet is precarious and who do not have personal computers or laptops in their house, which are imperative to conduct online examination.

6. That it is pertinent to note that in view of the Covid induced lockdown, a lot of parents have undergone

substantial pay cuts and even layoffs and in light of the same, it will be extremely difficult for a large section of the students to pay their examination fee or to bear stay and travel expenses to the source where the examination will be conducted.

7. That the suggested model of conduction of compulsory examination takes the students backwards rather than forward. It effectively brings in second phase of postponement of examination, which creates a cloud of uncertainty for the states like Madhya Pradesh, Rajasthan, Chhattisgarh, Punjab and West Bengal, which already decided to cancel examination.

8. That it is most humbly submitted that the Revised Guidelines not only provides for a model which is extremely dangerous for the lives of thousands of attendees (students of final-year/semester cohorts) but at the same time it is extremely dangerous for the Professors who will be invigilating the exams. In this regard, a copy of the newspaper article of Times of India, dated 19.04.2020, is annexed herewith and marked as "Annexure E".

9. That it is relevant to note that the UGC has cited examples of top-ranking Universities such as MIT, Cambridge for conduction of examination during Covid-19 Pandemic. However, by doing so, the UGC has totally neglected the unprecedented difficulties that our country is facing in times of pandemic. To say the least, in these testing days, a section of our society is not able to arrange bread and butter for a day. Therefore, in view of the current difficulties that our country is facing, it is quite unrealistic to justify the reasoning of conduction of virtual examination by relying on examples of the premier institutions of the world. In this regard, a copy of an article published by 'The Print' is annexed herewith and marked as "**Annexure F**".

10. It is further most humbly submitted that the execution of the Revised Guidelines, in the current scenario of pandemic, will be in gross violation of the fundamental rights enshrined under Article 14 (right to equality) and Article 21 (Right to life and personal liberty) of the Constitution of India.



11. It is further most respectfully submitted that even while 'Unlock-Phase -II' has commenced in the country vide MHA Order dated 29.06.2020, various states like Uttar Pradesh, Madhya Pradesh, Assam and Maharashtra have declared complete lockdown, owing to the constant rise in the Covid-19 cases. Therefore, it is most humbly submitted that in view of the present situation, it is absolutely unfair to prescribe deadline (30.09.2020) for compulsory conduction of examination by totally neglecting the health, safety and most importantly the life of the students.

In view of the aforesaid, it is most humbly **prayed:**

- a. that this Hon'ble Court may be pleased to take *suo-moto* cognisance in the matter and may be pleased to keep the Revised Guidelines issued by the UGC dated 06.07.2020, in abeyance, till the situation of Covid-19 normalises;
- b. this Hon'ble Court may be pleased to take steps for alternative system of evaluation to be formulated in the country, so as to do complete, equal and fair justice to the students and to exclude possibility of discrimination, disadvantage and risk of life;

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c. pass any other Order, as deem fit to this Hon'ble Court

I sincerely hope that this Hon'ble Court will be pleased to issue appropriate direction in order to avoid unfair, unjust and unequal treatment to the students.

Applicant:



Mr. Yash Dubey

Madhya Pradesh Circle Head

Youth Bar Association of India (Student Wing)

Final Year student of B.A. L.L.B. (Hon's)

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**Signatories :**

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4. Yachika Mehta, Bhopal
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6. Akshay Simhal, Bhopal
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9. Shubham Sarkar, Bhopal
10. Prateek Bhosle, Bhopal
11. Shashank Bisen, Balaghat
12. Rohit Patel, Bhopal
13. Ashish Tripathi, Bhopal
14. Richa Pandey, Bhopal
15. Sandesh Sharma, Vidisha
16. Soumya Jain, Bhopal
17. Pooja Pal, Bhopal
18. Shashank Sharma, Bhopal
19. Suchita Lakra, Vidisha
20. Neha Jain, Bhopal
21. Aman Katiyar, Bhopal
22. Kuldeep Singh Meena, Bhopal
23. Satyam Thakur, Bhopal
24. Shubendra Panwar, Bhopal
25. Rohit Meena, Bhopal

26. Anuj Yadav, Bhopal
27. Firdos Khan, Raisen
28. Kratika Menghani, Bhopal
29. Prabhat Thakur, Seoni
30. Sakshi Mishra, Jabalpur
31. Yogesh Bharti, Bhopal
32. Ashish Kumar Tiwari, Bhopal
33. Rohit Singh Meena, Bhopal
34. Shubham Chouhan, Raisen

Press Release No.490

Date: 11.07.2020

**PRESS RELEASE**

**Text of the D.O. letter dated 10.7.2020 of Thiru. Edappadi K. Palaniappan, Hon'ble Chief Minister of Tamil Nadu, addressed to Shri Ramesh Pokhriyal 'Nishank', Hon'ble Minister for Human Resource Development, New Delhi.**

**Dear Shri Ramesh Pokhriyal 'Nishank' ji,**

I bring to your kind notice that Covid-19 pandemic is showing a surge in various parts of the country including Tamil Nadu. My Government has been taking all required measures to contain the spread of disease, as well as to provide comprehensive treatment to the infected people. Though the efforts of the Government has borne good results, any minor let up may still pose a challenge to the State.

Due to the progressive policies of the State Government, Tamil Nadu has the highest Gross Enrollment Ratio of 49% among the States, resulting in large number of students studying in various Universities, Colleges and Polytechnics. Though we had scheduled their semester examinations in April 2020, these examinations could not be conducted as scheduled because of Covid-19 pandemic.

The UGC on 29.4.2020, had issued guidelines which gave the flexibility to the Universities and Colleges for the conduct of examinations, without any restrictions on the guidelines / directions issued by the appropriate Government / Competent Authority. The new guidelines which were issued on 6.7.2020, mandated that all the Educational Institutions across the country shall conduct examinations by September 2020 for the final semester students.

I would like to bring to your notice that the new guidelines has many constraints and difficulties which include the students reaching the Examination Centres, as many of them are residing outside the district, outside the State and some even outside the country. It is also not feasible to conduct online examinations, considering the various issues relating to digital access to the students. Moreover, most of the Government and Private Arts & Science and Engineering Colleges, Polytechnics and other Institutions of Higher learning (including the hostels, classrooms etc.,) in the State have been converted as Covid Care Centres for housing asymptomatic positive persons under quarantine and these centres may continue as Covid centres for some more time.

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Therefore, if we are not in a position to conduct examinations even after waiting till September 2020, it would jeopardise the future of the students who are in their Final year / Semester. Moreover, it will also unnecessarily affect the future of the students who were recruited through campus selections and the students who have applied for courses abroad, who may have to join in the month of October 2020, after the ban on international travel is lifted.

Many States in the country have taken a decision not to conduct the final semester examinations. In order to ensure career opportunities, future prospects and to simultaneously safeguard the principles of health, safety, fair and equal opportunity for students, the States may be given the freedom to work out its own assessment methods, without compromising on the quality and academic credibility.

In the above context, I request you to direct the respective Apex authorities like University Grants Commission (UGC), All India Council for Technical Education (AICTE), Council of Architecture (COA), Pharmacy Council of India (PCI), National Council of Teachers Education (NCTE) and National Council for Hotel Management and Catering Technology to endorse the decisions of the respective State Governments, which would be based on the local prevailing COVID 19 conditions. This would go a long way in rendering justice and fairness to the parents and the students, during these distressful times.

\*\*\*\*\*

**Issued by: Director of Information and Public Relations, Chennai-9.**

ਕੈ. ਅਮਰਿੰਦਰ ਸਿੰਘ  
Capt. Amarinder Singh



ਮੁੱਖ ਮੰਤਰੀ, ਪੰਜਾਬ  
Chief Minister, Punjab

CMO/Confi-2020/502

July 11, 2020

**Review of UGC guidelines regarding conduct of Examinations**

Dear Prime Minister,

I am writing to draw your attention to the latest guidelines issued by Ministry of Human Resource Development, Government of India and UGC to Vice-Chancellors of all Universities for conducting mandatory examinations for terminal classes/semesters by 30<sup>th</sup> September 2020.

You would appreciate that battle against Covid-19 has entered a significant phase with number of cases increasing exponentially and various studies pointing to peaking of cases over the next few months. In view of this rising trend of cases, I am not sure whether the situation will be conducive for conducting offline physical examinations by September. Conducting physical examination will also involve huge logistical and operational challenges, especially in view of large number of college/university buildings & hostels having been taken over by the District Administration for Covid-19 management purposes. On the other hand, conducting online examination for such large number of students, majority of whom reside in rural areas without assured access to Computers/Laptops and Internet is also not possible in the State.

The State Government, after due deliberation and taking into account the Covid19 situation and attendant issues of safety of students and staff, had on 3<sup>rd</sup> July 2020 decided to cancel all pending UG and PG final term examinations and to promote students on the basis of performance in previous years/semesters. In addition, we have also allowed conduct of

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examinations for the purpose of improvement of grades for interested students,once the situation becomes conducive.This would ensure academic credibility, career opportunities, future prospects and fair and equal opportunity for students in both urban and rural areas. The State Higher Education Minister has already written to the Union HRD Minister on 10<sup>th</sup> July 2020 in this regard.

I would request you to advise MoHRD and UGC to reconsider the entire issue in larger public interest and to allow the State Government to implement its aforesaid decision. UGC may be asked to reiterate its earlier issued guidelines of 29<sup>th</sup> April 2020 wherein it had been clearly mentioned that the guidelines were advisory in nature and each State/University would chart out its own plan of action taking into consideration the issues pertaining to Covid-19 pandemic.

With warm regards,

Yours sincerely,



(Amarinder Singh)

**Shri Narendra Modi**  
Prime Minister of India  
South Block, New Delhi



**Exams at all Delhi govt universities cancelled, declares**

**Manish Sisodia**

Deputy Chief Minister Manish Sisodia said state universities have been asked to come up with "a set of parameters for evaluation on the basis of the students' past performance" and award them degrees

Written by Aranya Shankar | New Delhi | Updated: July 12, 2020 8:53:43 am



Deputy Chief Minister Manish Sisodia said state universities have been asked to come up with "a set of parameters for evaluation on the basis of the students' past performance" and award them degrees. File

The Delhi government Saturday cancelled all upcoming examinations to be conducted in state universities, both for final and intermediate year/semester students, arguing it would be "unfair" to hold exams as the teaching-learning process was "hampered" due to Covid.

Deputy Chief Minister Manish Sisodia said state universities have been asked to come up with "a set of parameters for evaluation on the basis of the students' past performance" and award them degrees.

Chief Minister Arvind Kejriwal also wrote to Prime Minister Narendra Modi Saturday, suggesting that exams in central universities be scrapped and students be evaluated on the basis of internal assessment and previous marks. The University Grants Commission (UGC), in its revised guidelines dated July 6, had decided against recommending scrapping of exams, instead asking universities to conduct them by September-end.

"Students, teachers and parents are angered by this decision and believe it should be rolled back. Reputed institutions such as IIT and NLU have already given degrees to students in the final year based on internal assessments. Why

shouldn't others also do it? Across universities in the world, the same format is being followed," Kejriwal wrote.

He also pointed out that Delhi had decided to cancel exams but a similar decision for Central universities such as Delhi University will have to be taken by the Centre.

"The MHRD and UGC are not ready to change their decision in the matter. It seems only your intervention can solve this problem. It is my request to you that keeping in mind the overall well being of students, the government and UGC amend the guidelines, cancel exams for final semester students, and save the future of our students," the CM wrote. Sisodia, meanwhile, explained the rationale behind cancelling exams in state universities.

"It is unfair to conduct examinations for students amid the pandemic, which has already hampered their learning in the absence of regular classes, practicals and lab work. It is also unfair to withhold their degrees now, without which they cannot start their professional journey," Sisodia said in a webcast.

Arguing it would be difficult to conduct examinations for the semester, he said, "July is the most important month for

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examinations and evaluation at universities. Delhi government believes that in these extraordinary times, we need to make extraordinary decisions. That is why the Delhi government has decided all upcoming examinations in the Delhi State Universities should be cancelled. This includes all semester and final year examinations. All upcoming examinations for students of first year, second year and third year stand cancelled."

There are eight state-run universities in Delhi, recognised by UGC. He said universities were directed to evaluate students on the basis of "already conducted exams from previous semesters, internal assessments and also come up with other progressive ways to promote the students".

"Exams cannot be conducted due to the fear of the spread of Covid. And awarding degrees to students is very important because they have studied for three or four years; now they want to get their degrees and start working. A lot of people might have even secured jobs and cracked interviews for companies. Let them march ahead in their professional journey and contribute to the economy," said Sisodia.

After Sisodia's announcement, state universities said they were waiting for a detailed order from the government.

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Brigadier Pradeep Upmanyu, Joint Registrar at Guru Gobind Singh Indraprastha University, said, "We had not conducted any exams till now. We are still waiting for more detailed guidelines from the government after which we will discuss and deliberate on what is to be done."

Delhi Technological University PRO Anoop Lather said, "As far as the fourth year or final year exams are concerned, we have already conducted our exams. These exams were held online. For the rest, exams were scheduled to begin on July 20. We will now discuss and reconsider it."

However, the decision will not affect universities like Ambedkar University Delhi, which has already conducted evaluation for all students. "We have an innovative method of continuous assessment which came in handy during these times. As our online teaching-learning process went off smoothly, we were also able to evaluate students and declare results earlier," Vice-Chancellor Anu Singh Lather said.

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## ANNEXURE - P-12

07/2020

Howrah: With no computer or smartphone, 16-year-old student commits suicide after failing to attend online

Times Now

News > Mirror Now > In Focus

### With no computer or smartphone, 16-year-old student commits suicide after failing to attend online classes

In Focus



Mirror Now Digital  
Updated Jun 20, 2020 | 11:45 IST

The 16-year-old Class 10 student was concerned about her academic performance after she failed to attend online classes due to unavailability of a computer or a mobile phone.



#### KEY HIGHLIGHTS

The incident took place in Nischinda area of Howrah district of West Bengal on Thursday.

After the lockdown in view of coronavirus pandemic, most of the schools across the country have started online classes.

**Howrah:** In a tragic incident, 16-year-old class 10 student allegedly committed suicide after she failed to attend online classes in the absence of a computer or a smartphone.

The incident took place in Nischinda area of Howrah district of West Bengal on Thursday.

According to a report in Times of India, the victim has been identified as Shabini Kumari Sau, who was found hanging in her room. No suicide note was found from the victim's room.

The victim studied in an English medium school in the Bally area. After the lockdown in view of coronavirus pandemic, most of the schools across the country have started online classes.

"Shibani was my youngest child. Before the announcement of the lockdown on March 25, My wife, the eldest son, and I went to our hometown in Bihar's Samastipur. Shibani and my other son stayed back in Nischinda. The two siblings shared a smartphone which accidentally got damaged after it fell from her brother's hand on March 26 when the lockdown was underway. The phone could not be repaired due to a total shutdown. Even the phone repairing shops could not be opened during the unlocking," said Shibani's father Santu Sau, who works as a bus driver.

"My daughter was fearful that she may fail in exams as she could not attend the online classes. She was feeling very depressed. She called on me from another phone (basic) and told me about her concerns. I assured her that I would come back to Nischinda and would buy her a smartphone. I told her not to be upset and arrange the class notes from her other classmates," Sau further added.

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On Thursday afternoon, Shibani's brother Shivom left for cricket practice after lunch. When Shivom returned in the evening, Shibani didn't open the door after repeated knocks.

As he peeped into the window, Shivom was shocked to see Shibani hanging from the door panel inside the room. Police said they are probing the matter.

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## THE TIMES OF INDIA

**'Promote students, exams risky'**

TNN | Apr 19, 2020, 01.25 PM IST

BHOPAL: Professors have demanded general promotion for college students in Madhya Pradesh on the ground that it is dangerous to ask students to appear in exams as it can put them at risk for Covid-19. Stating that universities are planning to conduct exams after lockdown ends, the professors called it a wrong step. Professors said they will refuse to take exams if they are asked to do so.



President of Madhya Pradesh College Professors' Association,



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Prof Kailash Tyagi, said there is an urgent need of general promotion for the students. "If general promotion is given to school students citing the reason that it won't be possible to conduct exam, the same applies to the college students also," said Prof Tyagi.

He added that the professors' biggest concern is the fact that students will have to sit in a classroom for the examinations.

Sources said the management of Barkatullah University has now proceeded to prepare for the examinations. BU has proposed to conduct these exams from May 28 to June 28. University Registrar B Bharti said that the final decision is in the hands of the government, but the university is completely prepared for the exams. Notably, around 1.25 lakh students are studying in colleges affiliated to BU.

Registrar Bharti opined that this time, the academic calendar should be extended by two more months.

On the contrary, professors felt that if universities decide to organise exams, they may not attend. A senior professor, who did not wish to be named, said, "This is a sensitive situation. I will not put my life in danger by invigilating in the exams."

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## ANNEXURE - P-14

### UGC cites top universities like MIT, Cambridge to justify decision to hold final-year exams

UGC issued a circular Thursday, detailing SOPs for colleges and that they conduct a risk-assessment before holding exams. Health of students and staff to be monitored too.

**KRITIKA SHARMA** 9 July, 2020 4:48 pm IST



UGC building in New Delhi | Photo: Manisha Mondal |  
ThePrint

**New Delhi:** The University Grants Commission (UGC) has sought to justify its decision of making final-year exams mandatory for college and university students by citing top-

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ranking global institutes such as MIT and Cambridge University which conducted exams during the Covid pandemic.

The UGC's decision, announced Monday, drew a lot of flak from students, parents and faculty members, who questioned the need to conduct exams when the country is faced with a health emergency.

Following this, the UGC Thursday issued a circular to colleges and universities, explaining the rationale behind its decision.

"Presently several universities have conducted/planned exams in online/offline/blended mode," the circular said.

"Top-ranking universities of the world have opted for final exams to be done remotely. Like Princeton and MIT, University of Cambridge, Imperial College of London, University of Toronto and McMaster, University of Heidelberg and University of Hong Kong have resorted to the online technology-based model of conducting exams," it added.

The UGC also gave examples of other universities like University of Oxford and National University of Singapore that conducted exams in 'take-home' format, apart from some

other universities that used methods like term paper, open book, presentation, assignments and time-limited exams.

"In order to safeguard the larger interest of students, related to their academic and career progression, particularly those who are in final year/terminal semester, the institutions are required to chart out a plan to conduct exams," the circular added.

### **SOPs for colleges**

The circular also detailed Standard Operating Procedures (SOPs) for institutes with regard to conducting exams.

It asked education institutes to do a risk-assessment before conducting the exams if they are holding them in offline mode. The SOPs said the level of risk should be perceived differently for residential and non-residential students as the risk is higher for the latter.

"Higher education (institutes) should address the following concerns — preparation of risk-assessment and subsequent actions which varies, whether the institution is fully residential, partially residential or non-residential. The higher risk and bigger challenge is faced by institutions that

are non-residential, where students will leave daily and come back the next day," the circular read.

The circular also asked colleges and universities to make sure they monitor the health of their faculty members, counsellors, and other technical and non-teaching staff, who will interact with students regularly.

It also asked institutes to make sure they follow the basic safety measures such as sanitisation of the premises, thermal screening, safe physical distance and wearing of masks.

**12 students in one room**

Some of the other SOPs for institutes include making sure that sanitizers are available at each desk and everyone — students and invigilators — are wearing masks all the time.

Exam functionaries have also been asked to wear gloves at all times, especially while distributing the question papers. Downloading Aarogya Setu app has also been advised for all staff and students.

Further, the commission has given a sample seating arrangement plan to colleges, which they can follow.

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According to the plan, only 12 students should be made to sit in a room. Students should also be made to sit one seat apart from each other.

University Grants Commission  
Bahadur Shah Zafar Marg, New Delhi-110002

PRESS RELEASE

18-07-2020

Terminal Semester(s)/ Final Year Examinations for The Universities

Examinations are an integral part of the education system and is a measure students' learning, knowledge, skills and other competencies. The performance in examinations contributes to merit, lifelong credibility, wider global acceptability for admissions, scholarships, awards, placements, and better future prospects.

A large number of best universities across the world including US, UK, Canada, Germany, Australia, Singapore, Hong Kong and other countries, have conducted or are conducting examinations by giving various options such as Online/Offline/Blended or other alternative forms of examinations.

In order to safeguard the larger interest of the students related to their academic and career progression globally, the UGC issued Guidelines on Examinations and Academic Calendar on 29<sup>th</sup> April, 2020 mentioning that for the students of Terminal Semester(s)/ Final Year Examinations may be conducted between July 1-15, 2020.

In view of emerging COVID-19 pandemic situation it was difficult to conduct the examinations in the month of July, 2020, therefore, as per the directions of Ministry of Home, Ministry of Human Resources Development, and the report of the Expert Committee, UGC issued Revised Guidelines for Examination and Academic Calendar on 6<sup>th</sup> July, 2020.

Accordingly, the Universities were required to chart out a plan for completion of terminal semester/ final year examinations by the end of September, 2020 in offline (pen & paper)/ online/ blended (online + offline) mode following the prescribed protocols / guidelines related to COVID-19 pandemic. The guidelines also mentioned that in case a student of terminal semester/ final year is unable to appear in the examination conducted by the University for whatsoever the reason(s) may be, he/she may be given opportunity to appear in special examinations for such course(s)/ paper(s), which may be conducted by the university as and when feasible, so that the student is not put to any inconvenience/ disadvantage. UGC vide its letter of 8th July, 2020 also communicated the Standard Operating Procedure (SOP) for Conduct of Examinations as suggested by MHRD.

Recently universities were approached to inform the status of the conduct of examination. Out of 945 Universities (as per the list maintained by UGC till 01-06-2020) the responses were obtained from 755 Universities (120 Deemed Universities, 274 Private Universities, 40 Central Universities and 321 State Universities). The information from remaining Universities is being obtained.

Out of the 755 Universities, 560 Universities have either conducted the examination or are planning to conduct. Details are as follows:

- (i) 194 have already conducted examination (on-line/off-line);
- (ii) 366 are planning to conduct examination (on-line/off-line/blended mode) in August/September

In addition, 27 Private Universities, which were established during 2019-20 to till date, their first batch is yet to become eligible for final examination.

Secretary, UGC

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## ANNEXURE - P-16

20/07/2020

Community spread has started and the situation is bad, observes IMA



*Representative Image*

### **Community spread has started and the situation is bad, observes IMA**

ANI | Updated: Jul 18, 2020 18:05 IST

New Delhi [India], July 18 (ANI): With one million people getting affected by COVID-19 (/topic/covid-19), the Indian Medical Association (IMA (/topic/ima)) is of the view that community spread has started and the situation is pretty bad.

While speaking to ANI, Dr V K Monga, the Chairman of IMA (/topic/ima) Hospital Board of India said, "This is now an exponential growth. Every day the number of cases is increasing by more than around 30,000. This is really a bad situation for the country. There are so many factors connected with it but overall this is now



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spreading to rural areas. This is a bad sign. It now shows a community spread."

According to the latest update by the Union Health Ministry (/topic/health-ministry), the total confirmed cases reached 10,38,716. There are 3,58,629 active cases and 6,53,751 cured/discharged/migrated. A total of 26,273 deaths have been registered to date.

Dr Monga further said, "Cases are penetrating down into towns and villages where it will be very difficult to control the situation. In Delhi, we were able to contain it, but what about interior parts of the country in Maharashtra, Karnataka, Kerala, Goa, Madhya Pradesh (which may be the new hotspots)?"

"All these issues are very important and the state governments should take full care and seek help of the Central government to control the situation," Monga said.

As many as 1,34,33,742 samples have been tested for COVID-19 (/topic/covid-19) till July 17. Of these 3,61,024 samples were tested on Friday, Indian Council of Medical Research (ICMR) said.

ICMR is ramping-up testing facilities regularly. At present, 885 government laboratories and 368 private laboratory chains are conducting COVID-19 (/topic/covid-19) tests across the country.

"This is a viral disease that spreads very fast. To contain the disease there are only two options. Firstly, 70 per cent population contracts the disease and gets immune, and other is getting an immunisation (/topic/immunisation)," stated Monga.

Vaccination, being the greatest hope to contain COVID-19 (/topic/covid-19), India's two indigenous vaccine makers would be starting human trials soon.

"There has to be phases of trials then human trial, then efficacy and side effects. Also, importantly it has to be seen how long this immunity will last because most of the patients are unable to go beyond three months of immunity," said Dr Monga. (ANI)

TAGS IMA

COVID-19

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. NO. OF 2020

IN

WRIT PETITION (CIVIL) NO. OF 2020

IN THE MATTER OF:

YASH DUBEY

...PETITIONER

VERSUS

UNION OF INDIA & ORS.

...CONTESTING RESPONDENTS

APPLICATION FILED ON BEHALF OF THE PETITIONERS

SEEKING AD- INTERIM RELIEF

To

The Hon'ble Chief Justice of India and

His Companion Judges of the Supreme Court of India

The humble petition of the Applicant above named

**MOST RESPECTFULLY SHOWETH:**

1. The present writ petition, has been filed by the Petitioner, Mr. Yash Dubey, who is a final year law student of the Career College of Law, Barkatullah University, Bhopal (M.P.) and is also the circle head of Madhya Pradesh (Student Wing) of the Youth Bar

Association of India ("YBAI") seeking issuance of a writ in the nature of mandamus, order or direction of similar nature to the respondents to take immediate and effective actions to protect the life of the petitioner and thousands of similarly placed students whose basic right to life which includes right to health is being violated in view of the notification dated 06.07.2020 issued by the ministry of home affairs and the revised guidelines dated 06.07.2020 issued by the university grant commission inter alia providing for the compulsory conduct of final term examination and also issue a direction to the respondents to devise an alternative model for assessment of the final year students in wake of corona virus disease outbreak ("COVID-19") wreaking havoc with mankind.

2. The contents of the writ petition may be read as part and parcel of this application and the same are not being repeated herein for the sake of brevity.
3. It is most respectfully submitted that in wake of unprecedented situation of health emergency, the MHA Notification and the Revised UGC Guidelines are in flagrant violation of the fundamental rights of the students as it fails to take into consideration the hardships that will be faced by the thousands of students while appearing in examination either through

offline or online medium. It is pertinent to note that a lot of students have migrated to their home towns and will have to travel to the source where the examination will be conducted which will expose them to a lot of risk. This will also involve risk of staying in shared accommodation as various colleges and hostels have been converted into quarantine centres. Further, the online mode of conduction of examination fails to consider the infrastructural disparities, which will work against several students who do not have access to internet, laptops or computers, which is paramount for conduct of online examination.

4. It is most respectfully submitted that in view of the COVID induced lockdown, a lot of parents have undergone substantial pay cuts and even lay offs and in light of the same, it will be extremely difficult for a large section of the students to pay their examination fee or to bear stay and travel expenses to the source where the examination will be conducted.
5. It is most respectfully submitted that India has already crossed the tally of 10.38 lakh and while number of states are bringing back lockdown of various types, the deadline of September 2020 for conduct of examination is unattainable and if the virus continues to spread, no university/college administration will be

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in a position to announce examinations and the students will continue to be in a limbo about their future.

6. It is most respectfully submitted that the suggested model of conduction of compulsory examination takes the students backwards rather than forward. It effectively brings in second phase of postponement of examination, which creates a cloud of uncertainty for the states like Madhya Pradesh, Rajasthan, Chattisgarh, Punjab and West Bengal, which already decided to cancel examination.
7. It is most humbly submitted that the Revised Guidelines not only provides for a model which is extremely dangerous for the lives of thousands of attendees (students of final-year/semester cohorts) but at the same time it is extremely dangerous for the Professor's who will be invigilating the exams.
8. It is most respectfully submitted that after the issuance of the MHA notification and the Revised UGC Guidelines several states including Delhi, Tamil Nadu, Punjab, Maharashtra, Odisha and West Bengal have announced cancellation of all upcoming examinations to be conducted in state universities, both for final year/semester students. The Government of Delhi stated that the conduct of examination would be "unfair" as the teaching-leading

process was hampered due to COVID-19. The Government of Tamil Nadu stated that it is not in a position to conduct examination until September 2020, as several educational institutions have been converted into COVID-19 care centres.

- 9. The Petitioner is seeking intervention of this Hon'ble Court for the protection of the fundamental rights of the Petitioner, members of the Petitioner No. 2 and thousands of similarly placed students and therefore irreparable loss and injury would result to them if interim measures are not granted.

In view of the above submissions, it is most respectfully prayed that this Hon'ble Court may be pleased to:

**PRAYER**

It is, therefore, respectfully prayed that this Hon'ble Court may be pleased to:

- (a) Stay the operation and effect of the notification dated 06.07.2020 issued by the ministry of home affairs and the revised guidelines dated 06.07.2020 issued by the university grant commission till the pendency of the hearing and till the final disposal of the present writ petition, and further Respondent Nos. 1 and 2 be restrained from acting against any university/institution for non-

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conduct of examination, in view of the grave circumstances, due to COVID-19;

(b) that pending the hearing and final disposal of the present writ petition, grant ad-interim relief in terms of prayer (a);


(c) Pass such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case.

Applicant

Drawn on: 20.07.2020

Filed on: 20.07.2020

Drawn and Filed By:

  
RAJ KAMAL

Advocate on Record for the Petitioner

107-1  
IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. NO. OF 2020

IN

WRIT PETITION (CIVIL) NO. OF 2020

**IN THE MATTER OF:**

YASH DUBEY

...PETITIONER

VERSUS

UNION OF INDIA & ORS.

...CONTESTING RESPONDENTS

**APPLICATION SEEKING URGENT LISTING OF THE WRIT  
PETITION DUE TO EXTREME URGENCY.**

To

The Hon'ble Chief Justice of India and

His Companion Judges of the Supreme Court of India

The humble petition of the Applicant above named

**MOST RESPECTFULLY SHOWETH:**

1. That the Applicant has filed the accompanying Writ Petition under Article 32 of the Constitution of India, praying for a writ of mandamus or similar order or direction to the respondents to



take immediate and sincere action to prevent gross hardship which will be suffered by the Petitioner, members of the Petitioner No. 2 association and similarly placed thousands of students due to issuance of notification dated 06.07.2020 issued by the Ministry of Home Affairs ('MHA'), and the Revised Guidelines on Examination and Academic Calendar for the Universities issued by the University Grant Commission ("UGC") on 06.07.2020 ("**Revised UGC Guidelines**") providing for the compulsory conduct of final term examination by Universities and Institutions.

2. The contents of the writ petition and the stay application may be read as part and parcel of this application and the same are not being repeated herein for the sake of brevity.
3. That the Applicant has filed the present writ petition which needs to be listed before this Hon'ble Court, due to the following grounds of urgency:
  - a. The Applicant herein, vide the present writ petition brings to the notice of this Hon'ble Court, the grave and serious problems faced by thousands of students across the country in view of the recent MHA notification and the UGC guidelines, inter alia providing for compulsory

conduct of examination through offline/online/blended model. The Applicant in the present writ petition mentions instances which clearly reflect that the conduct of the examination for final year students is impossible and impracticable, during the COVID-19 pandemic;

b. The Applicant herein, vide the present writ petition has also highlighted the problems associated in conducting the examination before the deadline of September 2020, as provided in the MHA notification. While India has already crossed the tally of 10.38 lakh and while the number of states are bringing back lockdown of various types, the deadline of September 2020 for conduct of examination is unattainable and if the virus continues to spread, no university/college administration will be in a position to announce examinations and the students will continue to be in a limbo about their future.

c. The need of the hour therefore is to safeguard the fundamental right of thousands of students across the country. It is most humbly submitted that the conduct of examination (either online/offline/blended) in the prevailing unprecedented circumstances of health

emergency will expose the examinees to a great risk and will amount to flagrant violation of basic principle of right to health which is an important facet of right to life.

4. In such circumstances, it is critical that the present petition may be listed, at the earliest, in order to protect the basic right of the Petitioners as well as thousands of students, across the country.

**PRAYER**

It is, therefore, respectfully prayed that this Hon'ble Court may be pleased to grant:

- a) Listing of the present writ petition urgently because of the aforementioned reasons of urgency;
- b) Pass any other Order (s) as this Hon'ble Court may deem fit in the interest of justice.

DRAWN AND FILED BY:

  
RAJ KAMAL

ADVOCATE FOR THE  
PETITIONER

PLACE: NEW DELHI

DATE: 21.07.2020

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**IN THE SUPREME COURT OF INDIA**

**CIVIL ORIGINAL JURISDICTION**

**I.A. NO. OF 2020**

**IN**

**WRIT PETITION (CIVIL) NO. OF 2020**

**IN THE MATTER OF:**

**YASH DUBEY**

**...PETITIONER**

**VERSUS**

**UNION OF INDIA & ORS.**

**...CONTESTING RESPONDENTS**

**APPLICATION FOR EXEMPTION FROM FILING COURT FEES  
ALONGWITH THE PRESENT WRIT PETITION DUE TO NON-  
AVAILABILITY OF THE SAME IN LIGHT OF THE LOCKDOWN.**

**TO**

**THE HON'BLE CHIEF JUSTICE**

**OF INDIA AND HIS COMPANION**

**JUSTICES OF THIS HON'BLE COURT**

**THE HUMBLE PETITION OF THE PETITIONER ABOVE NAMED**

**MOST RESPECTFULLY SHOWETH:**

1. That the Applicants have filed the accompanying Writ Petition under Article 32 of the Constitution of India, praying for a writ of mandamus

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or similar order or direction to the respondents to take immediate and sincere action to prevent gross hardship which will be suffered by the Petitioner, members of the Petitioner No. 2 association and similarly placed thousands of students due to issuance of notification dated 06.07.2020 issued by the Ministry of Home Affairs ('MHA') and the Revised Guidelines on Examination and Academic Calendar for the Universities issued by the University Grant Commission ('UGC') on 06.07.2020 ("**Revised UGC Guidelines**") providing for the compulsory conduct of final term examination by Universities and Institutions.

2. That the entire facts and circumstances of the case are not narrated here for the sake of brevity and the facts and circumstances narrated in the accompanying Writ shall be treated as part and parcel for the purposes of adjudication of the instant application for exemption from filing Court Fees alongwith the present Application due to non-availability of the same in light of the lockdown.
3. It is submitted that the Applicants were unable to procure the requisite Court Fees alongwith the present Application notarized/attested due to non-availability of the same in light of the lockdown implemented. It is further submitted that the Applicants

undertake to file the required court fees at the earliest before the listing of the present Writ Petition.

- 4. It is, therefore, in the interest of justice prayed that the present Writ Petition is exempted to be filed without the requisite Court Fees.
- 5. The present application is bonafide and in the interest of justice.

**PRAYER**

It is, therefore, most respectfully prayed that this Hon'ble Court be pleased to:

- a) Grant exemption from filing Court Fees alongwith the present application due to non-availability of the same in light of the lockdown;
- b) pass such further order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE PETITIONER SHALL IN DUTY BOUND EVER PRAY.

 FILED BY:  
(RAJ KAMAL)

ADVOCATE FOR THE PETITIONER

FILED ON: 21.07.2020  
NEW DELHI

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IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. NO. OF 2020

IN

WRIT PETITION (CIVIL) NO. OF 2020

IN THE MATTER OF:

YASH DUBEY

...PETITIONER

VERSUS

UNION OF INDIA & ORS.

...CONTESTING RESPONDENTS

APPLICATION FOR EXEMPTION FROM FILING ORIGINAL  
NOTARISED AFFIDAVIT AND VAKALATNAMA ALONGWITH THE  
PRESENT WRIT PETITION DUE TO NON-AVAILABILITY OF THE  
SAME IN LIGHT OF THE LOCKDOWN.

TO

THE HON'BLE CHIEF JUSTICE

OF INDIA AND HIS COMPANION

JUSTICES OF THIS HON'BLE COURT

THE HUMBLE PETITION OF THE PETITIONER ABOVE NAMED

MOST RESPECTFULLY SHOWETH:

1. That the Applicants have filed the accompanying Writ Petition under Article 32 of the Constitution of India, praying for a writ of mandamus or similar order or direction to the respondents to take immediate and sincere action to prevent gross hardship which will be suffered by the Petitioner, members of the Petitioner No. 2 association and similarly placed thousands of students due to issuance of notification dated

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06.07.2020 issued by the Ministry of Home Affairs ('MHA') and the Revised Guidelines on Examination and Academic Calendar for the Universities issued by the University Grant Commission ("UGC") on 06.07.2020 ("Revised UGC Guidelines") providing for the compulsory conduct of final term examination by Universities and Institutions.

2. That the entire facts and circumstances of the case are not narrated here for the sake of brevity and the facts and circumstances narrated in the accompanying Writ shall be treated as part and parcel for the purposes of adjudication of the instant application for exemption from filing Original/Notarised Affidavit and Vakalatnama alongwith the present Writ Petition due to non-availability of the same in light of the lockdown.
3. It is submitted that the Applicants were unable to procure the original Notarised Affidavit and Vakalatnama alongwith the present Writ Petition due to non-availability of the same in light of the lockdown implemented. It is further submitted that the Applicants undertake to furnish the original notarised affidavit and Vakalatnama at the earliest.
4. It is, therefore, in the interest of justice prayed that the present Writ Petition is exempted to be filed without the Original Notarised Affidavit and Vakalatnama .
5. The present application is bonafide and in the interest of justice.

**PRAYER**

It is, therefore, most respectfully prayed that this Hon'ble Court be pleased to:



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- a) Grant exemption from filing original Notarized affidavit and Vakalatnama alongwith the present Writ Petition due to non-availability of the same in light of the lockdown;
  - b) pass such further order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE PETITIONER SHALL IN DUTY  
BOUND EVER PRAY.

 FILED BY:  
(RAJ KAMAL)

ADVOCATE FOR THE PETITIONER

FILED ON 21.07.2020

NEW DELHI

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IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA  
(PUBLIC INTEREST LITIGATION PETITION)  
WRIT PETITION (CIVIL) NO. OF 2020

IN THE MATTER OF:

Mr. Yash Dubey & Anr.

.....Petitioner

Versus

Union of India & Others

.....Contesting Respondents

VAKALATNAMA

I/ We PETITIONER (Plaintiff(s) /Appellant(s) /Petitioner(s) /Respondent(s) in the above suit/appeal/special leave petition/reference do hereby appoint and retain Mr. Raj Kamal, Advocate, Supreme Court of India, New Delhi to act and appear for me/us in the above matter and on my/our behalf to conduct and prosecute or defend the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein including proceedings in taxation and application for review to file and obtain return of documents, and deposit and receive money on my/our behalf in the said matter and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/ we agree to ratify all facts done by aforesaid advocate in pursuance of this authority.

Dated this the 20<sup>th</sup> day of July, 2020

CERTIFIED, IDENTIFIED, SATISFIED & ACCEPTED

  
(RAJKAMAL)  
Advocate, Supreme Court

  
APPELLANT(S)/PETITIONER(S)/  
RESPONDENT(S)

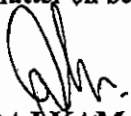
MEMO OF APPEARANCE

To,  
The Registrar,  
Supreme Court of India,  
New Delhi

Sir,


Please enter my appearance in the above mentioned matter on behalf  
of the

Yours faithfully,

  
(RAJKAMAL)  
Code: 2077

OFFICE  
D-11, GF, JUNG PURA EXTENSION,  
NEW DELHI-14  
PH: 9873748646/ 011-43011501  
Email: rajkamal.adv@gmail.com  
Rajkamal@rkchambers.in

CHAMBER  
SUPREME COURT, NEW DELHI-01  
CLERK: DEEPAK SINGH -  
PH: 9910431001

  
RAJ KAMAL  
ADVOCATE  
SUPREME COURT OF INDIA  
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IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA  
(PUBLIC INTEREST LITIGATION PETITION)  
WRIT PETITION (CIVIL) NO. OF 2020

**IN THE MATTER OF:**

Mr. Yash Dubey & Anr.

.....Petitioner

Versus

Union of India & Others

.....Contesting Respondents

**VAKALATNAMA**

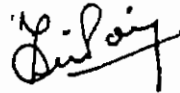
I/ We **PETITIONER** (Plaintiff(s) /Appellant(s) /Petitioner(s) /Respondent(s) in the above suit/appeal/special leave petition/reference do hereby appoint and retain **Mr. Raj Kamal**, Advocate, Supreme Court of India, New Delhi to act and appear for me/us in the above matter and on my/our behalf to conduct and prosecute of defend the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein including proceedings in taxation and application for review to file and obtain return of documents, and deposit and receive money on my/our behalf in the said matter and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/ we agree to ratify all facts done by aforesaid advocate in pursuance of this authority.

Dated this the 20<sup>th</sup> day of July, 2020

CERTIFIED, IDENTIFIED, SATISFIED & ACCEPTED



(RAJ KAMAL)  
Advocate, Supreme Court




APPELLANT(S)/PETITIONER(S)/  
RESPONDENT(S)

**MEMO OF APPEARANCE**

To,  
The Registrar,  
Supreme Court of India,  
New Delhi

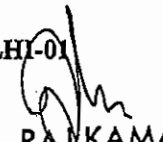
Sir,  
Please enter my appearance in the above mentioned matter on behalf  
of the

Yours faithfully,

  
(RAJ KAMAL)  
Code: 2077

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## YOUTH BAR ASSOCIATION OF INDIA (REGD.)

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[www.youthbar.org](http://www.youthbar.org)

[youthbarassociationofindia@gmail.com](mailto:youthbarassociationofindia@gmail.com)

### PATRONS:

MR. J. M. SHARMA, SR. ADVOCATE  
MS. ASHWARYA BHATI, SR. ADVOCATE

MR. JUGAL WADHWA  
MR. RANBIR S. KUNDU  
MR. ANEESH SHARMA  
MR. SHIRISH MEHROTRA  
MS. MANJU JETLEY  
MR. AVI SINGH  
MR. PRASHANT DIWAN  
MR. NIRPENDRA SINGH  
MS. VAISHALI GAUTAM  
MR. SHAKTI SINGH  
MR. BALDEEP SINGH GILL  
MR. LOVEPREET SINGH BRAR

### PRESIDENT:

MR. SANPREET SINGH AJMANI

### VICE-PRESIDENT:

MS. ANJALI CHAUHAN

### HONY. SECRETARY:

MR. SAURABH KUMAR PANDEY

### NATIONAL CO-ORDINATORS:

MR. AJIT SHARMA  
MR. MANOHAR PRATAP  
MR. HARSHIT BATRA  
MR. LOVEKESH CHROUDARY  
MS. SHWETA PANDEY  
MR. VARUN MISHRA  
MS. RICHA DHARMANI  
MS. AASTHA VASHISTHA  
MR. SHARIQ ALI KHAN  
MR. KULDEEP SINGH

### STATE PRESIDENTS:

MR. KULDEEP RAI - West Bengal  
MR. PEEYUSH BHATIA - Chhattisgarh  
MR. MUDASSIR NAQSHBANDI - J & K  
MR. SUNITPAL SINGH AULAKH - Punjab  
MR. LALIT KAUSHIK - Harayana  
MR. GAGANDEEP S. JAMMU - Chandigarh  
MS. CHITRANGDA - Rajasthan  
MR. ANKUR JAIN - Delhi  
MR. SUNNY DANTIWAL - Him. Pradesh  
MR. SHIKHAR AWASTHI - Uttar Pradesh  
MR. AKSHAY LATWAL - Uttarakhand  
MR. ARVIND J. JAISWAR - Maharashtra  
MR. NAYAN NAPAL - Sikkim  
MR. VENKAT MAHENDRA - Telengana  
MR. INDRAJEET KUMAR - Bihar  
MR. SAURABH GAUTAM - External Wing  
MR. RAHUL KUMAR - Students Wing

Ref. No. app-student-wing(writ/sc/ugc)

15<sup>th</sup> July, 2020

## AUTHORITY LETTER

Mr. Rahul Kumar S/o. Mr. Dhananjay Kumar R/o. Co-operative Colony, Dipugarha, Hazari Bagh, Jharkhand - National President of our student wing is hereby authorized to file, sign and verify the writ petition under Article 32 of the Constitution of India, which is to be filed before the Hon'ble Supreme Court of India concerning the students against the action of the Universities Grant Commission.

I wish him success.



SANPREET SINGH AJMANI  
Advocate, Supreme Court

National President  
Youth Bar Asso. Of India

B-3, Basement, Jangpura  
Extension, New Delhi - 14

SANPREET SINGH AJMANI  
ADVOCATE  
NATIONAL PRESIDENT - YBAI