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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: 22nd July, 2020

+ **W.P.(C) 4444/2020 & CM APPLs. 16012-14/2020**

DR. AKSHITA KHOSLA & ORS. Petitioner
Through: Mr. Sarthak Maggon, Advocate.
versus

UNIVERSITY OF DELHI AND ORS. Respondents
Through: Mr. Sachin Datta, Senior Advocate
with Mr. Mohinder Rupal and Hardik
Rupal, Advocates for University of
Delhi.
Mr. Apoorv Kurup, Advocate for
UGC.
Ms. Nidhi Raman, CGSC for UOI/R-
4.
Mr. Shlok Chandra, Ms. Mansie Jain,
and Mr. Chandratanay Chaubey,
Advocates for R-5/GNCTD.

CORAM:
JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J. (Oral)

1. This hearing has been done by video conferencing.
2. The present petition has been filed by 5 doctors who graduated their MBBS course from Lady Hardinge Medical College, Delhi. The reason for them to approach this Court is that they graduated in 2018 but have not received their degree-certificate till date.
3. It is pleaded by the Petitioners that they have approach this Court in view of the orders passed by this Court in *Dhritiman Ray v. University of Delhi [WP(C) 3945/2020]* for urgently making available the degree

certificate of the Petitioner therein.

4. A tender notice has been issued by the University of Delhi (*hereinafter*, “DU”) for printing and supply of degree-certificates to University of Delhi, as per which the date for bid opening is 3rd August, 2020. The Petitioners submit that they wish to apply for their residency programmes in the United States and to sit in the USMLE examination. As per the Petitioners, the date by which the degree-certificates would have to be uploaded for processing to the ‘My ECFMG’ mobile application would be 15th August, 2020.

5. Mr. Rupal, Id. counsel appearing for DU submits that in line with this Court’s order dated 7th July, 2020 in *Dhritiman Ray (supra)*, DU is taking steps for giving the tender for printing the degree-certificates in an expeditious manner.

6. This Court is repeatedly faced with writ petitions by students of DU seeking their transcripts and degrees-certificates. In the case of *Dhritiman Ray (supra)*, this Court had occasion to deal with a similar matter where a student who had graduated in 2017 was not being issued his degree certificate. In the said case, the Court had observed as under:

“6. This Court takes serious note of the fact that issuance of degree certificates to students are being delayed in this manner, that too due to completely unjustifiable reasons. The non availability of paper and printing facilities cannot be a justifiable cause especially when the careers and educational prospects of students are at stake. Though no convocation is held, the issuance of degree certificates which ought to be a happy and memorable occasion has been turned into a laborious and burdensome process.

7. *The object and purpose of every University ought to be to attain 'Educational excellence'. The same has to however be achieved with 'Administrative certainty'. This case shows that there seems to be complete administrative lethargy on the part of all the authorities. First, there is no justification for not holding the convocation on an annual basis in the same year when the student passes out. It is unheard of that the convocation is itself held one year later. Secondly, there is no justification for the college not to send the data relating to the Universities immediately upon announcement of results of the final year students. Thirdly and finally, non-availability of printing facilities and paper is a completely derisory and inexcusable reason.*

8. *In the present case, the convocation for students who passed out in 2017 has already taken place. However, due to completely unjustifiable reasons such as lack of paper, lack of printing facilities, etc., the degree certificate has not been issued to the Petitioner. In the opinion of this Court, such an excuse does not justify the non-issuance of the degree certificate for a period of three long years, resulting in irreparable damage to the Petitioner's further studies. The DU ought to facilitate the process of obtaining degree certificates by students and should, in fact, provide all possible assistance to students who wish to pursue further education and career opportunities..."*

Finally, this Court had directed DU to issue the degree certificate to the student in whatever possible manner so as to ensure that the student was able to submit the same to a foreign University where he had secured admission.

7. Pursuant to the order in *Dhritiman Ray (supra)*, the tender for

printing degree certificates is now stated to have been issued by DU as per which the deadline for submission of bids is 1st August 2020 and bids are to be opened on 3rd August 2020. The contract will then be entered into. The printer would then commence printing of certificates. Thus, the process is long drawn and would not serve the purpose of students who have deadlines for submission of their documents.

8. Students, especially doctors providing their services during the COVID-19 pandemic, ought not to have been forced to approach this Court for seeking their degree-certificates, especially when they graduated two years ago. Representation is stated to have been made by 25 students to the Dean of Examinations of DU but there has been no response.

9. Most institutions have made alternative arrangements during the lockdown period for issuance of digital certificates, digital mark-sheets and digital transcripts online, along with the digital signatures and security features. Most of DU is under lockdown and there is very minimal physical interface between students and the administration. There is no reason as to why DU should not be adopting technically advanced methods to ensure that the students are not inconvenienced. DU ought to take a pragmatic approach in this matter and seriously consider the option of setting up a special cell, which would entertain requests of students on email, for digital-certificates, mark-sheets, transcripts etc. and installing the software necessary for issuance of degree-certificates with security features, to be sent online through email in a timely manner.

10. Students ought not to be forced to approach Courts for issuance of their mark-sheets, transcripts, degree- certificates etc., which ought to be issued in the natural course within a reasonable time. Accordingly, Dr.

Sanjeev Singh, Joint Director, DU Computer Centre and Dr. Vinay Gupta, Dean (Examination), DU to join the proceedings before this Court tomorrow i.e. 23rd July, 2020, in order to examine the feasibility of setting up a special cell to issue marksheets, transcripts, degree-certificates and other relevant documents online and also in order to enable students to have a proper interface with DU.

11. List on 23rd July, 2020 at the end of the board.

JULY 22, 2020/dk/T

**PRATHIBA M. SINGH
JUDGE**

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