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

Date of decision: 4th August, 2020

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

DR. AKSHITA KHOSLA

..... Petitioner

Through: Mr. Sarthak Maggon, Advocate.
(M:7045654395)

versus

UNIVERSITY OF DELHI AND ORS

..... Respondents

Through: Ms. Nidhi Raman, CGSC for UOI, R-4.

Mr. Sunil Dutta, Senior Advocate with Mr. Mohinder Rupal and Mr. Hardik Rupal, Advocates for DU.

Mr. Shlok Chandra, Advocate with Ms. Mansie Jain and Mr. Chandratany Chaubey, Advocates for R-5.

Mr. Apoorv Kurup, Ms. Upama Bhattacharjee & Ms. Nidhi Mittal, Advocates for UGC. (M:8800678743)

Dr. Vinay Gupta, Dean (Examination), DU with Dr. Sanjeev Singh, Joint Director, DU Computer Centre.

With

+ **W.P.(C) 4754/2020 & CM APPLs. 17158-59/2020**

DR MILI ROHILLA & ORS.

..... Petitioners

Through: Mr. Yatharth Rohilla, Mr. Vishesh Wadhwa and Ms. Swadha Gupta, Advocates. (M:9999666038)

versus

UNIVERSITY OF DELHI & ORS. Respondents

Through: Mr. Sunil Dutta, Senior Advocate
with Mr. Mohinder Rupal and Mr.
Hardik Rupal, Advocates for DU.

Mr. Apoorv Kurup, Ms. Upama
Bhattacharjee & Ms. Nidhi Mittal,
Advocates for UGC. (M:8800678743)

Mr. Shlok Chandra, Advocate with
Ms. Mansie Jain and Mr.
Chandratany Chaubey, Advocates
for R-5.

Dr. Vinay Gupta, Dean
(Examination), DU with Dr. Sanjeev
Singh, Joint Director, DU Computer
Centre.

With

+

W.P.(C) 4571/2020 & CM APPLs. 16511-13/2020

DR NAMAN BARECHA & ORS. Petitioners

Through: Mr. Sarthak Maggon, Advocate.
versus

UNIVERSITY OF DELHI & ORS. Respondents

Through: Mr. Sunil Dutta, Senior Advocate
with Mr. Mohinder Rupal and Mr.
Hardik Rupal, Advocates for DU.

Mr. Apoorv Kurup, Ms. Upama
Bhattacharjee & Ms. Nidhi Mittal,
Advocates for UGC. (M:8800678743)

Mr. Shlok Chandra, Ms. Mansie Jain
and Mr. Chandratany Chaubey,
Advocates for R-5.

Dr. Vinay Gupta, Dean
(Examination), DU with Dr. Sanjeev
Singh, Joint Director, DU Computer
Centre.

**CORAM:
JUSTICE PRATHIBA M. SINGH**

Prathiba M. Singh, J. (Oral)

1. This hearing has been held through video-conferencing.
2. The present writ petitions reflect the sorry state of affairs at the University of Delhi (*hereinafter*, “DU”). The Petitioners are all doctors who have graduated their MBBS course in the year 2018 and 2019 from three medical colleges in Delhi i.e, Lady Hardinge Medical College, Maulana Azad Medical College and University College of Life Sciences. These doctors have been struggling to get their original degree certificates released and after all their attempts with DU failed, they have approached this Court through the present writ petitions.
3. The first writ petition, being W.P.(C) 4444/2020, was listed on 22nd July, 2020 on which date this Court had observed that DU ought to make alternative arrangements during the COVID-19 pandemic for issuance of digital certificates, digital mark-sheets and digital transcripts online, along with the digital signatures and security features. Towards this end, the Court had also noted that in an earlier writ petition being WP(C) 3945/2020 titled *Dhritiman Ray v. University of Delhi*, a graduate of DU in 2017 had sought his degree certificate. After the intervention of the Court, the handwritten degree certificate was issued. The reason cited by DU for delay in issuance of the degree certificate was non-availability of paper and the fact that DU’s contract with the printer had expired. The said case was heard in the first week of July and on 7th July, 2020 this Court was informed that steps were being taken for printing the degree certificates in an expedited manner. Despite this being the position, the tender for printing degree certificates

was not finalized and it was only yesterday i.e., 3rd August, 2020 that the tender was opened. So, in so far as issuance of printed degree certificates are concerned, this Court clearly was of the opinion that the same would not be ready quickly for issuance to students who have various deadlines.

4. Under these circumstances, the Dean of Examinations and the Joint Director, Delhi University Computer Centre (DUCC) were requested to join the video-conferencing hearing to enable this Court to lay down a scheme for issuance of digital degree certificates and other documents. On 23rd July, 2020, DU was directed to place on record the mechanism/protocol devised for issuance of digital degree certificates and other documents.

5. An affidavit has been filed today before this Court in which the system adopted by DU is sought to be explained. This Court is informed that a Committee has been formed for looking after the security of sensitive data of academic awards, manpower requirement, University revenue etc. At this stage, looking at the urgency of the Petitioners, DU's affidavit states as under:

“ At this point of time looking at the urgency for the degree of the petitioners specially the medical doctors/professionals who have already completed their degree from University of Delhi and also other urgent specific cases, the University will initiate measures so that their degree can be delivered to them on priority basis and for that purpose the related data shall be given to the Digilocker to generate their digital degree. Further, the University will develop a system to address such type of cases in a time bound manner so that degree certificate can be provided digitally.

9. It is submitted that the tender for the printing of degree certificates of the University has been

opened and the process to award the contract will be expedited positively.”

6. Professor Vinay Gupta, Dean of Examinations and Dr. Sanjeev Singh, Joint Director, Delhi University Computer Centre (DUCC) have joined today’s hearing. The Court has perused the protocol which has been placed on record. The same is reproduced below:

“Protocol for obtaining degree through online process

There will be an online portal to obtain the Degree/ Certificate

Process:

Step 1

The candidate needs to register on the online system and login

Welcome to University of Delhi Online Certificates System
Application to Obtain Special Certificate

GuideLines Register

Guidelines/procedure for issue of Special Certificate

A student can apply for issue of Special Certificate subject to the following conditions and Guidelines:

1. The Special Certificate will be issued only if student has successfully completed the academic program and is eligible for the award of Degree from Delhi University.
2. The special certificate will be issued after a period of Fifteen working days excluding Saturday/Sunday and other Gazetted holiday from the date of successful submission of application with payment of prescribed fee.

All such students have to follow the following procedure for issue of Special Certificate:

- 1) Fill the online form available on the examination portal of DU web site for the said purpose.
- 2) Upload the soft copy of photograph and scanned signature.
- 3) Upload the soft copy of Self-attested Mark Sheet of Final Year/Semester (or self-attested copy of Notification of results for Ph.D./M.Phil.)
- 4) Deposit online the non-refundable fee of ₹ 500 /- for the issue of Special certificate at the payment Gateway.
- 5) After completion of online process including payment of prescribed fee, candidate will receive the acknowledgement receipt along with a Receipt number. The request of candidate for issue of Special certificate has been provisionally accepted subject to the verification in examination branch.
- 6) Take the printout of duly filled online application, acknowledgement receipt and all uploaded documents.
- 7) Special certificate will be issued in person to the candidate (or to his/her nominee, authorized in writing) from the respective examination branch after a period of Seven working days excluding Saturday/Sunday and other Gazetted holiday from the date of successful submission of application with payment of prescribed fee. Certificate will be issued only after submission of hard copy of the online application, after candidate original signature, along with all uploaded documents and Acknowledgement Receipt.

Disclaimer:

- i) Applicant shall be solely responsible for correctness of the information filled up and veracity of all uploaded documents.
- ii) Issuance of Special Certificate shall be strictly based on the satisfactory compliance of the conditions prescribed. Mere submission of application and documents does not entitle issuance of same.

Registered User Login

Username *

Password *

Capcha Verification

buzey Type the text

* Click on the text to change

Login

• [Forgot Password?](#) Click to Reset your Password

Step 2

Candidate to fill the required information. The candidate shall receive the confirmation email.

The screenshot shows the 'Welcome to University of Delhi Online Certificates System' page. It features two main sections: 'Register' and 'Registered User Login'. The 'Register' section includes fields for 'New User Signup' with sub-fields for 'Email', 'Confirm Email', 'Password', 'Confirm Password', 'Mobile', and 'Gender'. It also has a 'Date of Birth' field and a 'Captcha Verification' section. A 'Register' button is at the bottom. The 'Registered User Login' section has 'Username' and 'Password' fields, a 'Captcha Verification' section, and a 'Login' button. Below the login section is a link for 'Forgot Password? Click to Reset your Password'.

Step 3

The examination branch will verify the details and process the application

Step 4

The soft copy of the degree is generated by the examination branch with required signature of competent authority

Step 5

The degree is digitally verified and mailed to the candidate through the portal.

Step 6

The digital certificate will be received by the candidate.

Close

• The screen shots are indicative”

7. The Court has repeatedly put queries to the officials of DU as to whether this protocol relates to degree certificates as a perusal of the same shows that this is meant for issuance of a ‘special certificate’. Moreover, the steps which have been mentioned in this protocol require the student to

upload a scanned copy of their photograph, signature, self-attested marksheet of the final year/semester along with a non-refundable fee of Rs.500/-. It also requires submission of hard copies of the application along with the signatures etc., The protocol also states that the certificates would be issued in person to the candidate/their nominee after a period of 15 days or 7 days from the date of submission of the application, excluding Saturdays, Sundays and other Gazetted holidays. Even the name of the portal has not been specified. The degree certificate is to be collected in person. The electronic copy of a sample degree to be issued is also not yet ready. Dr. Sanjeev Singh, however, informs the Court that he has obtained a digital signature in his name for issuance of the degree certificate.

8. The affidavit, in fact, exhibits a complete lack of any arrangement for issuance of degree certificates digitally. There has been no application of mind whatsoever, as the period specified for issuing the same is not clear. The entire purpose of digital degree certificates is defeated if a person is to come personally to collect the same. Moreover, the information sought from the students, shows that the procedure is being made more complicated instead of it being simplified.

9. On behalf of the UGC, Mr. Kurup, ld. counsel, submits that the NDML, which was earlier the digital repository for all the academic records, is no longer in charge of the same and Digilocker has now been set up by the Ministry of Electronics and Information Technology (MEITY) to become the digital repository for all academic documents in order to implement the National Academic Depository (*hereinafter*, "NAD").

10. Dr. Surender Singh, Joint Secretary, NAD and Mr. Durgaprasad Dash, Additional General Manager, National e-Governance Division (NeGD),

MEITY have joined the video-conferencing hearing. They submit that there was an agreement dated 3rd October, 2019 with NDML, however, no data was uploaded by DU. Insofar as Digilocker is concerned, the Court is informed that DU has registered on Digilocker only yesterday i.e., 3rd August, 2020.

11. Despite sufficient time being made available, it is clear that DU is not taking adequate steps to set up the process for issuance of digital degree certificates. There is a completely callous attitude being reflected towards the plight of students. A request is made for adjourning the matter for tomorrow to place a better scheme on record. This Court feels that the same would be completely futile as considerable time has already lapsed without any positive steps being taken by the DU. All the Petitioners wish to get their registrations on the ECFMG platform in order to be able to sit in the USMLE examination for post graduate studies in the US. It is stated that the deadline for submission of their degree certificates is 15th August, 2020. It is in view of this deadline that this Court was repeatedly listing the matter to find a solution. However, the affidavit filed by DU is lacking in several respects – in the name of the portal, the link to the portal, the form to be filled for obtaining the digital degree-certificate and in not providing a sample of the degree certificate to be issued.

12. The protocol which has been placed on record has made it extremely difficult for candidates to obtain a degree-certificate. Obtaining a degree, which should have been a cause of celebration, has been turned into a complete nightmare for all these doctors who ought to have been busy rendering medical services during the pandemic. Despite the Court's best effort, DU is not placing a proper protocol on record. In view of the above,

this Court deems it appropriate to constitute a Committee consisting of the following officials:

- i. Mr. Sarsij Kumar, Joint Director (M: 9650006723) and Mr. Zameem Ahmad Khan, Senior System Analyst (M: 9650006732) from the Delhi High Court IT team.
- ii. Mr. Durgaprasad Dash, Additional General Manager, National e-Governance Division (NeGD), MEITY (M:7735001000, Email ID: durga.dash01@gmail.com).
- iii. Ajoy Agrawal, Senior Manager, Digilocker (M: 8527843466)
- iv. Prasoon Kumar, Senior Manager, Digilocker (M:9971307379)
- v. Dr. Sanjeev Singh, Joint Director, Delhi University Computer Centre (M:9212002844)

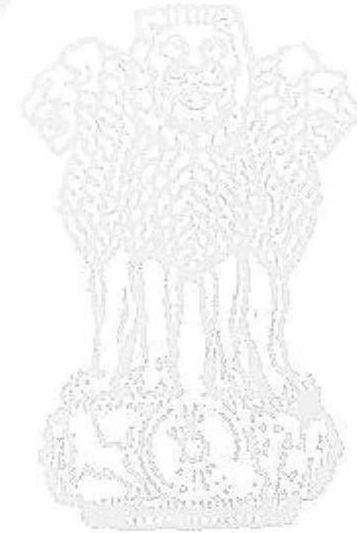
13. The Committee shall finalize the following:

- a) The online link on the DU portal where the students can put in applications for issuance of their digital degree certificates. Alternatively, an e-mail address shall be provided where the Petitioners and similarly placed candidates can write an e-mail to obtain their degree certificates;
- b) The timeline after receipt of the said email for verification and issuance of the degree certificate with the digital signature;
- c) Template for the degree certificate to be issued by email;
- d) Official to be responsible for affixing the digital signature and issuance of the same;
- e) A sample degree certificate in favour of one of the Petitioners, duly signed with the digital signature, shall also be generated;
- f) Timelines for transmission of past data to Digilocker from DU;

- g) Timelines for transmission of data periodically to Digilocker so that students can easily access their certificates, transcripts, marksheets, awards etc.
14. Status report shall be submitted to this Court on 7th August, 2020 by 10:00 a.m. List this matter for hearing on 7th August, 2020 at 3:00 p.m.
15. Copy of this order be provided to all the counsels today itself.
16. The Committee shall have its first meeting tomorrow i.e., 5th August, 2020 at 11:30 a.m. in the office of Dr. Sanjeev Singh, Joint Director, DUCC.

AUGUST 04, 2020
dj/T

PRATHIBA M. SINGH
JUDGE



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