

PANJAB UNIVERSITY, CHANDIGARH

PROCEEDINGS OF MEETING

A meeting of the committee constituted by the Vice-Chancellor to prepare legally tenable reconsideration in regard to the High Court order in CWP No. 12832 & 13272 of 2020 about scrapping of entrance test of B.A./B.Com.LL.B. (Hons.) and 3 year Law and preparation of revised admission schedule for the above-said courses was held on 9th Sept, 2020 at 5:30 p.m. in the office of Director, UIIS.

The following members were present:

Ms. Anu Chatrath, Dean Faculty of Law (Chairperson)

Dr. D.P.S. Randhawa, Fellow

Prof. Rajinder Kaur, Director, UIIS

Dr. Dinesh Kumar, Deptt. of Law

Assistant Registrar (CET), Convener

Prof. Parvinder Singh, Controller of Examinations attended the meeting as a Special Invitee on the request of Ms. Anu Chatrath, Dean, Faculty of Law-cum Chairperson.

Prof. Navdeep Goyal (Chairman, Co-ordination Committee) and Prof. Meenu Paul attended the meeting at Webex.

Dr. R. S. Jhanji could not attend the meeting.

With reference to the orders of the Hon'ble Punjab & Haryana High Court in CWP No. 12832 of 2020, Saurav Rao Vs. Panjab University & Others, wherein the Hon'ble court has directed that

“In the circumstances, the Court disposes of these petitions with a direction to the University to re-consider its decision to scrap the UGLAW entrance examination for the 5-year law course as expressed in its circular dated

With reference to the orders of the Hon'ble Punjab & Haryana High Court in CWP No. 12832 of 2020, Saurav Rao Vs. Panjab University & Others, wherein the Hon'ble court has directed that

“In the circumstances, the Court disposes of these petitions with a direction to the University to re-consider its decision to scrap the UGLAW entrance examination for the 5-year law course as expressed in its circular dated 11th August 2020 and take a fresh decision in that regard not later than 15th September, 2020 keeping in view the observations of this Court in the present order and the grounds raised in these petitions. The said decision will be uploaded on the website of the University immediately after it is taken. *Till such time, the University will not proceed with making admissions to the B.A./B.Com. LL.B. (Hons.) 5 years' integrated law course on the basis of the Circular dated 11th August, 2020 as well as guidelines uploaded on the website of the University on 25th August, 2020*”.

The issue was discussed in the meeting of Co-ordination Committee members which was convened on 3.9.2020, wherein Ms. Anu Chatrath shared with the members that:

“Two law courses are being run by two departments separately i.e. B.A.LL.B./B.Com.LL.B. (Hons.) 5 years Integrated course by UILS and 3 year Law by the Department of Laws.

Entrance test was scrapped for 5 years Integrated Course run by UILS, whereas Department of Laws opted to conduct the entrance test for admission to 3 years Law Course. She stated that the University counsel could not make it clear to the court that 3 year Law is a PG course and the decision is yet to be taken in respect of admission to PG courses in the Panjab University. Except Panjab University, in all other neighboring universities, admission to B.A./B.Com.LL.B. (Hons.) 5 years Integrated course is made on the basis of academic marks and no entrance test is taken. Moreover, as per the guidelines issued by the Bar Council of India entrance test is not mandatory for admission to law courses. She

highlighted that in the present circumstances, it would not be possible for the Panjab University to conduct Entrance test by following the norms laid down by the Government of India.”

In the said meeting only, the above-said committee was constituted to prepare legally tenable reply to the High Court that the decision of scrapping of entrance test for B.A/B.Com.LL.B. (Hons.) and 3 year Law Course is not in violation of the orders of the court. The same committee would also prepare a revised admission schedule for B.A.LL.B. (Hons.) and B.Com.LL.B. (Hons.) and 3- year Law for the session 2020-2021.

The first meeting of the committee constituted in the meeting held on 3.9.2020 was held on 8.9.2020 at 3:00 p.m. in the office of Director, UILS, wherein it was resolved that all the detailed documents/supporting documents regarding the case will be mailed to all the committee members for thorough understanding of the case. The members further resolved that the meeting will be held again tomorrow i.e. 9th Sept, 2020 at 5:30 p.m. in the office of Director, UILS or at Webex.

On 9.9.2020, the members discussed the issues in detail as follows:

1. As per Handbook of Information, 2020 the admission criteria for admission to B.A.LL.B. (Hons.)/B.Com.LL.B. (Hons.) 5 years Integrated Course at Panjab University is 50% marks of 10+2 (irrespective of the any recognized Board) and 50% marks of Entrance Test. It is not completely based upon the entrance test only.

Course	Seats	Duration	Eligibility*	Admission Criteria
B.A.LL.B. (Hons.) 5 Yr. Integrated Course [#]	180**+ 4(OGC/S GC)	5 Years	10+2 examination with at least 50% marks from any recognized Board/ University. **	Based on PU- B.A. /B.Com LL.B (Hons.) Entrance Test Academics: 50% Entrance Test: 50%

B.Com. LL.B. (Hons.) 5 Yr. Integrated Course#	180**+ 4(OGC/S GC)	5 Years	10+2 examination with atleast 50% marks from any recognized Board/ University.**	Based on PU- B.A/B.Com LL.B (Hons.) Entrance Test Academics: 50% Entrance Test: 50% Plus Weightage for commerce subjects
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It is pertinent to mention here that as far as admissions in Law Colleges in Punjab is concerned, it is completely based upon 10+2 marks from the last 4-5 years, without entrance test. Prof. Parvinder Singh, further submitted that three Universities i.e. Guru Nanak Dev University, Amritsar, Punjabi University, Patiala and Panjab University, Chandigarh conducts Punjab Law Admissions as Centralized Online Counseling Admissions for the Law Course/s including 5 year Law Course/s and 3 year Law Course.

The Law Colleges affiliated to Panjab University like Rayat and Bahra, Ropar, GHG Institute of Law for Women Sidhwan Khurd, Ludhiana and others conduct their admissions on the basis of the Centralized Admission for Law without entrance test and the students of the said affiliated colleges get degree of Panjab University, Chandigarh.

The admissions to Panjab University main campus i.e. University Institute of Legal Studies and Panjab University Regional Centers i.e. PURC Ludhiana and PUSSGRC Hoshiarpur are based on the entrance test conducted by the Panjab University, Chandigarh.

2. Moreover, it is also submitted that in CWP No. 12832 titled Saurav Rao vs. PU, the notice dated August 10, 2020 has been highlighted, whereas the CLAT Consortium Notification dated 1st July, 2020, categorically specifies that:

“In the Notification dated 1st January, 2020, the candidates were required to choose from among 67 locations for a pen and paper examination. In the subsequent Notification dated 30th June, 2020, we’ve adopted a centre-based computerized examination to enable candidates to choose from among 203 locations (enclosed) to minimize travel requirements during the COVID pandemic”

They are adopting a centre based computerized examination from 67 locations to 203 locations. The locations has been increased to 203 all over India because of COVID Pandemic with the following medical safety measures / norms, which have been outlined in the court notification.

CLAT 2020

Social Distanced Computer Based Testing (SD-CBT)

“CLAT 2020 will use a “Social Distanced Computer Based Testing” model which will enable a rapid restart of assessments with due compliance to social distancing norms and other key precautions to be taken to ensure prevention of virus spread. The model has been created after taking inputs from prominent health experts to validate the procedures/processes that need to be followed at various stages of an exam in order to address the possible threats presented by COVID-19 and to ensure that exams are conducted safely for all concerned.

The CLAT will follow a model whereby:

- *Staff will be deployed for Crowd Management and orderly movement.*
- *Staff with Thermo Guns will be present at entry gate*
- *Sufficient cleaning staff, center administrators and invigilators with face masks and hand gloves will be deployed.*
- *Spray machines with disinfectant liquid will be used to sanitize examination centers thoroughly.*
- *Sufficient hand sanitizer and hand soap will be present across the test centers and washrooms*

- *Candidates with fever or COVID symptoms will not be permitted inside the exam venue. A separate isolation lab will be set up to accommodate these candidates.*

- *PPE kits will be made available for staff in isolation labs.*

- *3 ply masks and gloves will be provided to isolated candidates*

Further Important Instructions

- *All candidates with temperature > 99.14 will be directed to the isolation lab for taking the examination.*

- *In case of candidate with scribe, both the candidate and the scribe must bring their own N95 mask*

- *Candidates will be permitted to carry following items with them into the venue:*

- o Mask*

- o Gloves*

- o Personal transparent water bottle*

- o Personal hand sanitizer (50 ml)*

- o A simple pen o Exam related documents (Admit Card, ID card, etc.)*

- *Candidates will be told to switch off their mobile phones, and deposit it at the designated location, to be collected while exiting.”*

Further, Admission under CLAT is at National Level, where the prospectus fee is Rs. 4000/- for general category and Rs. 3500 for SC/ST category and the examination is conducted at the national level and they have hired an agency for conducting the entrance examination. The Prospectus fee of Panjab University is Rs. 2175 for General Category and Rs. 1088 for SC/ST/PWD categories.

As far as Panjab University is concerned, the Panjab University conducts entrance test for B.A./B.Com.LL.B. (Hons.) in one centre only i.e. Panjab University, Chandigarh itself. There is no multiplicity of entrance test centres. It was not apprehended that the COVID problem will go to that extent/time.

Moreover, there are approximately 7000 applications have been received by Panjab University for admission to B.A./B.Com.LL.B. (Hons.) 5 years Integrated Course. In a short span of time, it will be very difficult for the University to find an agency for the conduct of entrance test with social distancing and precautionary measures as prescribed by Government of India. It is also noticeable that the candidates appearing for entrance test have just cleared 10+2 and atleast one parent accompanies the candidate for entrance test. In that case, there will be more than 14000 people who will gather at one place for entrance test, which does not include the number of officials and supporting staff of Panjab University, which is required for the conduct of the above-said entrance test.

3. It is further submitted that as far as entrance test of B.A./B.Com.LL.B. (Hons.) is concerned, it comes under the purview of UGLAW and LL.B. 3 year Course falls under PG LAW Entrance test which is conducted by Panjab University.

As per DUI Circular dated 29.7.2020, it has been clearly mentioned that

“As far as Entrance Test of PG Courses offered by Panjab University is concerned, the decision be kept pending till the result of the undergraduate course (final year is declared).

It was also noted that the tenability of holding the entrance test for 3 –year LL.B. Course was kept pending and it was never decided by the authorities that they will hold this entrance test because the result of the final year students was not declared yet, the UGC directions was for exit semester examination only.

Dr. D.P.S. Randhawa informed the members that the entrance test for admission to 3 year Law Course started w.e.f. the session 1995, prior to that there was no entrance test for admission to 3 year law course since its inception in Panjab University.

It is further submitted that Panjab University has already commenced the admissions of Science Department on the basis of 10+2 marks instead of conducting entrance test ie. PUCETUG, which is a regular feature of science departments.

4. Panjab University can opt for two modes of holding Entrance Test:
 1. Online Mode
 2. Physical Mode

As far as online entrance examination is concerned, a committee has been constituted by the Panjab University to look into the intricacies of the conduct of Online Entrance Examination. The comprehensive technical report was submitted by the committee, the extract of the report has been reproduced as under, which expressed the inability of the University to conduct Online Entrance Examination.

“Fairness in online examinations from home cannot be ensured using the available technologies as AI-based proctoring with live invigilation is not possible due to non-availability of State Internet connectivity at the homes (or convenient places) of candidates living in remote areas. Moreover, disqualification of any candidate using audit trails recorded during AI based proctoring is not established yet as per available legal framework.

Committee also contacted government agencies like EDCIL, National Testing Agency NTA and various government universities like JNU, DU and BHU etc. As per information from these government agencies and universities, allowing candidates to appear for entrance examination from their home can compromise transparency. Hence, fairness in online entrance examination from home cannot be ensured.”

In view of the above, the committee proposes the following:

“Legitimate online entrance examinations from home for Panjab University are technically not feasible due to non-availability of technologies/solutions that can ensure transparency and fairness in the examinations complying with the available legal framework. Online test/computer based test/standard test for various PU entrance examinations can be conducted from identified centres following the SOPs/guidelines issued by MHA/UGC from time to time in this regard. Government agencies like NTA, EDCIL etc. can be explored as per norms of Panjab University for conducting the test”.

Regarding the Physical Mode of Entrance test, because of COVID pandemic, many parts of Chandigarh have been declared as Contagious zone and it is not practically possible to conduct the physical entrance test with precautionary measures as prescribed by Government of India. Moreover, many hostels of Panjab University have been created as Isolation Centres for the COVID patients. Therefore, the Panjab University is not in a position to create multiple centres for the entrance test to cater the conduct of Entrance Test of more than 7000 students, their accompanying parents and above all the University officials and supporting staff for the conduct of Entrance Test in the high time of COVID pandemic. The number of persons can be more than 20,000 in total.

Further, the UGC which is the regulatory body has directed the Universities to conduct the examination of exit semesters only. Further, the Bar Council of India has not made it mandatory to hold entrance test for admission to law colleges.

It is worth mentioning that all the law colleges have admitted the candidates on the basis of 10+2 result, which has been declared way back in July, 2020. Due to delay in the admissions at Panjab University, most of the meritorious students have already taken admission in other universities/colleges. As

Panjab University is following semester system, the admissions have already been delayed considerably, as in the previous years, the admission process got over in the month of August only.

Now in view of the decision dated 29-09-2020 of the Hon'ble High Court in CWP Nos. 15572/ 2020 Chirag Malli Vs. P.U.; 15618/2020 Saurav Rao Vs. PU and 15682/2020 Rosen Vs. PU. The matter is being reconsidered by the Committee on 01-10-2020 in which the following members were present:-

1. Ms. Anu Chatrath, Chairperson
2. Prof. Navdeep Goyal, Chairman Coordination Committee
3. Prof. Parvinder Singh, Controller of Examinations
4. Dr. D. P. S. Randhawa, Fellow
5. Prof. Meenu Paul, Chairperson, Deptt. of Laws
6. Prof. Rajinder Kaur, Director, UILS
7. Dr. Dinesh Kumar, Deptt. of Laws
8. Assistant Registrar, CET Cell

Sh. Vikram Nayyar, Registrar and Sh. Sandeep Chopra, SLO attended the meeting as Special Invitees.

After thorough deliberation the Committee was of the opinion that the previous proceedings of the Committee dated 09-09-2020 were lacking to the extent that it did not specifically deal with some of the contentions raised by the petitioners and the judgements relied upon by them. Hence, the present proceedings.

After going through the pleas raised by the petitioners and the judgements being relied upon by them the Committee unanimously decided to supplement the previous proceedings before resolution:

- The plea of petitioners that in view of the law laid down by Hon'ble Apex Court with regard to entrance examination wherein it was specifically held that career of students cannot

be put in peril and COVID-19 cannot become a ground to delay the exams by Universities is totally misleading and misconceived. The observations of Hon'ble Supreme Court have been made in a case where competent authorities in view of their capabilities were ready to hold Entrance Test but same was sought to be obstructed by certain groups not interested in Entrance Test. But in the present case, the Panjab University is not capable to hold Entrance Test. The facts of both these cases are reverse to each other hence law laid down by Hon'ble Apex Court is not attracted in the present case.

- The plea of petitioners that Panjab University has prioritized its self interest against the interest of students or their future or interest of legal profession is also misleading and misconceived. The decision of the University not to hold Entrance Test has been taken in view of peculiar COVID-19 pandemic situation in larger public interest.
- The interest of the students has been clearly watched by making admissions on basis of merit i.e. marks obtained by them in the qualifying exams as per details given in the Prospectus itself which are not under challenge. Even challenge to these provisions is also barred by ESTOPPEL as they have applied under these very provisions contained in the Prospectus which have force of law and binding on the parties.
- The University has not made any eligible candidate as ineligible OR an ineligible candidate as eligible by not holding Entrance Test. The admissions are being made on merit alone. The criteria, the rules or the regulations contained in the Prospectus, being followed by University, are applicable to all.

- The University has no self interest being a body corporate. There is no allegation that personal interest of some officer of University is being watched by the University.
- So far as interest of legal profession is concerned, there is no requirement of Bar Council of India to admit students only on basis of Entrance Test nor any consultation with Bar Council of India or Bar Council of Punjab and Haryana is necessary for making such a change in the procedure because the University has not lowered down the minimum eligibility requirements laid down by the Bar Council of India in its rules or regulations or the Rules on Standards of Legal Education and Recognition of Degrees or the BCI Education Rules, 2008 framed under Section 7(1)(h) or Section 49 (1) af) of the Advocates Act, 1961.
- That as per Prospectus the final merit list is prepared as under:-

FINAL MERIT WILL BE PREPARED AS UNDER:

B.A.LL.B. (Hons.) Integrated Course	5 years	Entrance Test: 50% + Qualifying Examination (+2): 50% + other admissible weightages
B.Com.LL.B. (Hons.) Integrated Course	5 years	Entrance Test: 50% + Qualifying Examination (+2): 50% + With Weightage for commerce subjects* and other admissible weightage
*Weightage shall be given for the commerce subjects for admission to B.Com. LL.B.(Hons.) as per P.U. Calendar and other rules and regulations laid down by competent authorities/bodies of Panjab University from time to time		

This is duly provided in the Prospectus itself.

- The plea of petitioners as to what procedure is to be followed by the Panjab University for rationalization of marks obtained by candidates in 10+2 or B.A./B.Com/B.Sc. etc. from different streams and different boards/Universities is concerned, the following procedure is being followed since its inception which is as under:-

- CISCE- Best 4 Subjects
- PSEB- Arts & Science- Best 5 Subjects
- PSEB- Commerce- Best 6 Subjects
- CBSE- Best 5 Subjects

The same process is applied to all other Boards/ Universities.

- Besides this, in a case of resolving ties also the University is relying upon qualifying examination (10+2 examination) which is deciding factor. The same has been mentioned in Para 23.1 of the prospectus.

23.1 Candidates securing equal marks in the Final Merit List shall be bracketed together. However, their inter-se merit rank shall be determined as under:

i) A candidate getting higher percentage of marks in qualifying examination (10+2 examination) shall rank higher in order of merit.

ii) If the marks, as mentioned in (i) are also the same then the candidate obtaining higher percentage of marks in 10th class or an equivalent examination shall rank higher in order of merit.

iii) If two or more candidates secure equal marks in (i) and (ii) above, candidate senior in age shall rank higher in order of merit

- Further certificates of all the Boards/Universities which are statutory bodies and duly recognized by their respective Governments stand at par with each other except for

rationalization in the manner indicated above. The marks obtained by all such candidates in the qualifying examination, are put at par like other other Universities for admission to B.A.,LL.B./B.Com., LL.B. or 3 Years' LL.B. Course. No differential treatment can be given to them as per settled law. The petitioners have not pointed out as to how their Certificates stand at better footing than Certificates of others Boards/Universities etc.

- Even the admission in the B.Sc Honours Courses and in B.A Honours Courses in the University and as well as affiliated colleges has been made on the basis of +2 marks. As far as Law is concerned the Bar Council of India Part -iv Rules of Legal Education section 2(iv) allows the students of every stream to join Bachelor of laws without differentiating between bachelor degree in science, arts, commerce, engineering, medicine, or any other discipline. So the university has also not differentiated between the students pursuing arts, science, commerce or other stream

vi) "Bachelor degree in law" means and includes a degree in law conferred by the University recognized by the Bar Council of India for the purpose of the Act and includes a bachelor degree in law after any bachelor degree in science, arts, commerce, engineering, medicine, or any other discipline of a University for a period of study not less than three years or an integrated bachelor degree combining the course of a first bachelor degree in any subject and also the law running together in concert and compression for not less than a period of five years after 10+2 or 11+1 courses as the case may be.

Hence, the judgement reported as Sh. Chander Chinar, Bada Akhara State of J & K AIR 1997 SC 399: (1996) 5SCC 732 is not attracted to the facts of present case.

- The UGC Guidelines or the directives/SOP issued by the Ministry of Human Resource Development (MHRD) and Ministry of Home Affairs (MHA) are not attracted to the present Entrance Tests in Panjab University.
- The plea of petitioners that Panjab University stands on a higher footing so it cannot follow the procedure being followed by other Universities is also misleading and misconceived. From the fact narrated in their writ petitions, it appears that they have not been able to get admission even in the neighbouring University in view of their low marks in the qualifying examination where cut off marks/ merit of the candidates stand on lower footings. Further, under the normal circumstances the Panjab University also in view of its ranking in the Country as well as at International level, expects that students being admitted by it should be bright ones having an aptitude for Law Course but not under exceptional circumstances when cases of COVID-19 are increasing day by day it cannot put lives of approximately 30,000 (more than 20,000 visitors are expected to visit University Campus on the date of Entrance Test) + more than 10,000 employees, residents and students residing in the University Campus in danger. So the decision to scrap the Entrance Test has been taken in larger public interest.
- The petitioners are factually wrong in suggesting that Entrance Test was the sole factor for making admissions to these Courses in the Panjab University. In fact, 50% marks were assigned to academic achievements and 50% marks were assigned to Entrance Test and on the basis of combined merit the admissions were to be made but now the University will admit the candidates only on the basis of their academic achievements fully narrated in the Prospectus.

- The plea of the petitioners that Panjab University has ample infra-structure for conducting Entrance Examination since it is going to conduct Final Semester/Final Year Examination or going to start the Classes, is also misleading and misconceived. The Final Semester/ Final Year Exams are conducted through open book system without any invigilation to SAVE ONE ACADEMIC YEAR OF STUDENTS in view of decision of Hon'ble Supreme Court and the UGC Guidelines. The Entrance Test cannot be put on same dock. No physical teaching work has started till now.
- That the Panjab University was making admissions by taking into consideration the marks obtained in Entrance Exams for Campus/ Regional Centres at Ludhiana & Hoshiarpur whereas admissions in 5 Year Integrated Law Courses in Colleges affiliated with Panjab University is on the basis of marks obtained in 10+2 and for 3 years LL.B. on the basis of the marks obtained in Graduation. The Panjab University is taking this decision in consonance of the decision taken by the Punjab Government for the affiliated colleges / institutes situated in Punjab.
- Holding of Entrance Test is necessary where admissions are being made to Courses at National Level like M.B.B.S, B.D.S., Engineering, Technical Courses against seats prescribed in Open Quota but such a situation does not exist in the present case as Panjab University is making admissions to the Courses for its own College/Institute/ Department only.
- Holding of Entrance Test is necessary where there are statutory requirements by the Regulatory Authorities like Medical Council of India; All India Council of Technical Institutes; National Council of Teachers Education, CLAT, AIIMS etc. where

admissions to M.B.B.S., B.D.S., B.Ed., Engineering or Technical Courses, are sought in Government as well as non-government or unaided colleges/institutes but in present case, the Bar Council of India has not prescribed any such statutory regulations for holding Entrance Test.

- The plea of petitioners that University is not competent to change the rules of the game or the terms of Prospectus is also misleading and misconceived. There are specific provisions in the Prospectus itself which empower the University to take any decision on the Entrance Test or on any other issue. The relevant rules 19 (at page 20 of Prospectus) and rule 29 (at page 25 of the Prospectus) read as under :

19. If any dispute or controversy of any kind arises before, during or after the conduct of Entrance Test, the decision of the Controller of Examinations, Panjab University, in this regard, shall be final.

29. Notwithstanding anything contained in this Prospectus, the eligibility conditions for admission to B.A., B.Com., LL.B. (Hons) 5 years Integrated Course, shall be governed by the respective rules/regulations as enshrined in Handbook of Information 2020 or the General Guidelines for admission or orders/decisions of the University Senate/Syndicate/Vice-Chancellor and any other competent authority. In case of any conflict or inconsistency between the Prospectus on the one hand and the aforesaid Panjab University Rules/Regulations/ Guidelines/Orders/decisions on the other hand, the latter shall prevail.

Similar are the provisions contained in the Prospectus for admission to LL.B. Three Year's Course also which reads as under:

“The result of the Entrance Test shall, ipso facto, not entitle a candidate to get admission in an Institution / Department/ Centre concerned where he/she intends to seek admission. It will be the responsibility of the candidate to make sure about his/ her eligibility and fulfillment of such other conditions as may be prescribed for admission in the rules and regulations of University/ Institution concerned. Merely because a candidate is allowed to appear in the Entrance Test does not mean that he / she is eligible and his / her appearance therein will not stop or debar the university / institution concerned from satisfying itself about his/her eligibility at any subsequent stage.

Notwithstanding anything contained in this prospectus, the eligibility conditions for admission to this course, shall be governed by the respective rules / regulations as enshrined in the P.U. Calendar, Volumes I, II and III (latest editions) and / or the General guidelines for Admissions / Handbook of Information -2020 issued by the University and / or decisions of the University Senate / Syndicate. In case of any conflict or inconsistency between the prospectus on one hand and the aforesaid Panjab University rules and regulations / guidelines / Handbook of Information -2020 / decisions of Senate / Syndicate, on the other, the latter shall prevail”.

“If a dispute or controversy of any kind arises before, during or after conduct of Entrance Test, the decision of the Controller of Examinations, Panjab University, in all such cases, shall be final”.

The provisions have been specifically provided in the prospectus to meet out such kind of emergencies.

- The petitioners by simply submitting an application for admission have got no legal or vested right to seek a mandamus directing the University to hold Entrance Test as the University has not conducted any test/examination, nor the petitioners were directed to appear in any such test/examination nor any merit list was prepared by it on basis of any such test/examination so as to confer any legal right on them.
- The University is charging the fee which is not exorbitant in nature as compared to other universities to meet the expenses for whole admission process. It is not only charged for the purposes of entrance examination as well as counselling which includes preparation of final merit list and physical counseling. In case of CLAT the entrance examination fee is 4000 rupees and 3500 for SC/ST/BPL and the counselling fee is separate from the entrance examination fee.
- The Judgment of Hon'ble Division Bench of Hon'ble Court rendered in CWP Nos.12832/2020 Saurav Rao and ors v. Panjab University and ors; CWP No.13272/2020 Navya Raj v. Panjab University and others dated 01.09.2020 followed in CWP No.13366/2020 Bhavya Jain and others v. Panjab University dated 02.09.2020 are per incurium as the relevant rules of the University and Bar Council of India were inadvertently not brought to notice of Hon'ble Court. Even the petitioners also had suppressed the above relevant rules and regulations of the University and the rules, regulations and decisions of the Bar Council of India in their writ petitions.
- The various judgments being relied upon by the petitioners viz., V.S. Sai Sachin v. State of Tamilnadu, 2017 (4) CTC 337; Bhavya S. Desai v. State of Gujarat, 2006 (26) SCT 206; State of M.P. v. Gopal D. ripathi, AIR 2003 SC 2952; Ajay Hasia v. Khalid Mujib,

AIR 1981 SC 487; judgment of Hon'ble Supreme Court of India in WP© No.812 of 2020 Sayantana Biswas v. National Testing Agency dated 17.08.2020 or the judgment of Hon'ble Delhi High Court in W.P.(C) No.3399/2020 Jyoti Jaiswal v. Union of India dated 09.06.2020 or Division Bench of this Hon'ble Court in CWP No.12009/2020 Rekha Rani v. State of Haryana dated 21.08.2020 were delivered in cases where the competent authorities/bodies in view of their capabilities to meet COVID-19 pandemic situation had decided to hold Entrance Test but was sought to be obstructed by certain groups for extraneous reasons which were repelled by Hon'ble Courts. In none of the cases the Courts, inspite of incapacibilities of Institution/University concerned to meet the COVID-19 pandemic situation, have directed any Institution or the University to hold an Entrance Test which has never been prescribed by any Regulatory Authority.

- Even the UGC Guidelines on Academic Calendar for the First Year of Under-Graduate and Post-Graduate Students of the Universities for the Session 2020-21 in View of COVID-19 Pandemic Published on 24-09-2020 gives Universities facing in difficulty in making admission as per the existing policy may adopt alternative modes of admission process.

Guidelines

In continuation of the UGC Guidelines dated 29.04.2020 (including in partial modification thereof) and 06.07.2020, the following guidelines have been framed on academic calendar for the first year under graduate and post graduate students in the Universities and colleges:-

1. The institutions where admissions are solely through entrance tests and have completed the necessary requirements or are likely to complete these requirements in

near future, may start their academic session of 1st year at the earliest. If necessity arises, provisional admissions may also be made. The relevant documents of qualifying examination be accepted up to 31.12.2020.

2. Merit/ entrance based admissions to the first year programmes for the session 2020-21 be completed by the end of October 2020. The last date for admissions to fill up the remaining vacant seats shall be 30.11.2020

3. The academic calendar for the first year students' proposed in the Guidelines dated 29.04.2020 stands amended. Hence, the academic Session 2020-21 may commence from 01.11.2020 for first year students. Accordingly, the following calendar is suggested for the academic session 2020-2021:

Admission Process (To be completed)	31.10.2020
Commencement of Classes of above students Fresh batch (First Semester/Year)	01.11.2020*
Preparatory Break	01.03.2021 to 07.03.2021
Conduct of Examinations	08.03.2021 to 26.03.2021
Semester Break	27.03.2021 to 04.04.2021
Commencement of Classes for Even Semester	5.04.2021
Preparatory Break	01.08.2021 to 08.08.2021
Conduct of Examinations	09.08.2021 to 21.08.2021
Semester Break	22.08.2021 to 29.08.2021
Commencement of Next Academic Session for this batch	30.08.2021

*If there is a delay in declaration of result of the qualifying examinations, the universities may plan and start the academic session by 18.11.2020. The teaching learning process may continue in offline/ online/ blended mode.

4. All the universities may follow a 6-day week pattern for the academic session 2020-21 and 2021- the loss for this batch of students.

5. In order to avoid financial hardship being faced by the parents due to lockdown and related factors, full refund of fees be made on

account of all cancellation of admissions/ migration of students, up to 30.11.2020, for this very session as a special case. To be crystal clear, the entire fees including all charges be refunded in totality (Zero Cancellation charges) on account of cancellation/ migration up to 30.11.2020. Thereafter, on cancellation/ withdrawal of admissions up to 31.12.2020, the entire fee collected from a student be refunded in full after deduction of not more than Rs.1000/- as processing fee.

6. The universities are requested to compensate the delay in the start of academic session in the subsequent years by curtailing the breaks/ vacations so that this batch of students would get their final results for award of degree timely.

7. The Guidelines as issued on 29.04.2020 and 06.07.2020 highlighting the modes of teaching, conduct of examinations, importance of physical & social distancing etc. shall remain unchanged and shall remain mandatory in that respect.

8. In view of the present scenario and future uncertainties:

i. The universities may adopt and implement these Guidelines in a transparent manner by making alterations/ additions/ modifications/ amendments to deal with particular situation(s) in the best interest of students, educational institution and the entire education system, except in respect of those guidelines that are mandatory.

ii. If the university faces difficulty in making admissions as per the existing policy, it may adopt alternative modes of admission process, if otherwise legally tenable.

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.

Notwithstanding the above Guidelines, every university/ college has to ensure that it is prepared in all respects to carry out the academic activities following necessary advisories/guidelines/directions issued by the Central/State Government, MHRD or UGC from time to time to prevent the spread of COVID-19.

The Panjab University in view of the rising cases of Covid-19 in Chandigarh especially in Examination Branches in P.U./ isolation / quarantine centres in P.U. Hostels by Chandigarh Administration has already scrapped the entrance tests for all Under Graduate / Post Graduate / M.Phil. & Ph.D./ Honours Graduate Courses/ MET for admissions in UIAMS / MBA (Executive) in USOL.

The Committee after going through the latest UGC Circular recommends that it is not possible as the number of COVID-19 cases are rising exponentially. In view of the prevalent situation and projected growth of cases due to COVID-19 pandemic, it is not feasible to conduct the entrance examination for admissions to B.A. LL.B. / B.Com. LL.B. (Hons.) 5 years Integrated Course and LL.B. (3 Year) Course in the best interest of students and public at large. As per UGC direction the admission to the first year programmes for the session 2020-21 is completed by the end of October 2020 otherwise the University will be left with no option except to declare the 2020-21 as Zero academic year. The decision is taken in interest of students and public at large in no way the University is benefitted out of it.

However, the above recommendations of the Committee in respect of entrance test for admissions to Law courses is subject to the final decision of the Vice-Chancellor.

The meeting ended with a vote of thanks to the Chair.

Assistant Registrar (CET)
Convener

Sh. Vikram Nayyar, Registrar

Prof. Parvinder Singh, COE

Prof. Navdeep Goyal

Prof. Meenu Paul

Dr. D.P.S. Randhawa

Prof. Rajinder Kaur

Dr. Dinesh Kumar

Confirmed

ANU CHATRATH
(Chairperson)

Approved

Vice-Chancellor