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

Date of Decision: 7th July, 2020

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W.P. (C) 3945/2020

DHRITIMAN RAY

..... Petitioner

Through Mr. Sarthak Maggon, Advocate.

versus

UNIVERSITY OF DELHI & ORS.

..... Respondents

Through: Mr. Mohinder Rupal and Mr. Hardik Rupal, Advocates for University of Delhi.

Mr. Ankur Chhibber and Mr. Anshuman Mehrotra, Advocates for R-2.

Ms. Shefali Vohra, Advocate for R-4, GNCTD.

Ms. Nidhi Raman, CGSC for R-3, UOI.

Prof. Vinay Gupta, Dean Examination, University of Delhi.

CORAM:

JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J. (Oral)

1. This hearing has been held through video-conferencing.
2. The Petitioner, Mr. Dhritiman Ray, completed his M.A. in Psychology with a First Division from the Zakir Hussain Delhi College, Delhi in 2017. The Petitioner obtained admission into several prestigious colleges including Kings College London, Edinburgh University, Glasgow University, etc. for pursuing his post-graduation. The Petitioner's case is that he was also awarded the Commonwealth Scholarship by Kings College

London, however, the same could not materialize due to the non-filing of the degree certificate in time, which was to be issued by the DU. Mr. Sarthak Maggon, ld. counsel appearing for the Petitioner submits that one final opportunity is available to him to avail of a scholarship from Glasgow University and if the degree certificate is not immediately uploaded by him on the portal, even the said opportunity is likely to be lost. He has thus been compelled to file the present writ petition due to the non-issuance of his degree by the Delhi University (*hereinafter 'DU'*).

3. The present petition was listed yesterday when, Mr. Rupal, ld. counsel appearing for the DU submitted that the reason for non-issuance of the degree certificate is lack of proper quality paper and that the contract with the printer has also expired. Notice was issued in the writ petition and an order was passed on 6th July 2020, the operative portion of which reads as under:

- “8. This Court is of the opinion that there needs to be a proper streamlined procedure with proper deadlines being fixed for issuance of the mark sheets, transcripts, degree certificates, etc. so that students of DU are not inconvenienced in any manner. Accordingly, it is directed that Professor Vinay Gupta, Dean of Examinations, DU shall appear before this Court on 7th July, 2020 and suggest a proper schedule and timeline for issuance of degree certificates and other related documents as also the respective officers who would be personally responsible for the same.*
- 9. Mr. Rupal, ld. counsel shall also obtain instructions and make a statement as to in what manner the degree certificate can be given to the Petitioner at the earliest and in any case, before 10th July, 2020.”*

4. Further to the above order, Prof. Vinay Gupta, Dean, Examination,

University of Delhi, has appeared today and expresses his regret to the fact that the degree certificate was not issued to the Petitioner. In fact, he submits that University of Delhi always endeavours to help the students to the maximum extent possible. He states that in this case, the convocation for the 2017 degree course, which the Petitioner completed, was held in November, 2018. However, the data relating to students was uploaded by the college only in December, 2019. Immediately thereafter, the contract with the printer engaged by Delhi University came to an end and the same had to be re-tendered. Owing to the lockdown situation, there were very few bids received for the tender which delayed the process. However, the tender for the printer is being finalized shortly. Prof. Gupta assures the Court that the degree certificate for the Petitioner would be issued on or before 10th July, 2020. He submits that a Special Certificate was issued to the Petitioner, however the college in London has not accepted the same, though in the case of other students, international colleges and Universities have accepted the same.

5. The attainment of graduation and award of degree is usually a cause for celebration among students. Universities both in India and internationally, hold proper convocation ceremonies for all undergraduate and postgraduate courses. However, owing to the large number of students who study in DU, the convocation is held only for Ph.d. students and medal holders. However, immediately after the Convocation, DU is expected to release the degree certificates to its students. In the case of the Petitioner, the journey after completion of his studies, to obtain the degree certificate has turned out to be arduous and unpleasant. The non-release of his degree certificate for three years has had an irreparable impact on his further

educational prospects.

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. Instead, it is clear from the correspondence on record that the Petitioner's repeated requests for issuance of his degree certificate have not materialised. A special certificate in lieu of the degree certificate was issued by the DU on 31st December, 2019, which, however, was not accepted by the international universities as a degree certificate.

9. There is thus a need for the DU to streamline the process of issuance of degree certificates with a fixed timeline and schedule. Accordingly, an affidavit shall be placed on record by the University of Delhi, giving the following details:

- i. Details of the Statutes/Regulations that govern the holding of convocations;
- ii. The procedure adopted for holding of convocations and the frequency thereof;
- iii. The procedures followed by colleges and the DU for collection of data and the timelines thereof; and
- iv. The timeline for issuance of degree certificates after the Convocation is held.

The affidavit shall also specify the person (by designation) who would be in charge of issuing degree certificates and the manner in which the procedure would be speedened up, in order to ensure that students are not inconvenienced, as has happened in the present case.

10. The DU shall also consider creation of a dedicated helpline manned by a responsible official for the purpose of issuance of degree certificates,

transcripts etc., and the same shall be dealt with in the affidavit.

11. Let the affidavit be filed within four weeks.

12. Insofar as the Petitioner is concerned, since time is of the essence, Prof Gupta has agreed to expedite the issuance of the degree certificate. Accordingly, the Petitioner shall approach the office of Prof. Vinay Gupta, Dean, Examination, Delhi University, North Campus on 9th July, 2020 at 3:00 p.m, to collect his original degree certificate (with or without the security feature). If any further email or letter is needed for the Petitioner to satisfy the foreign University that the certificate being issued is genuine, the same shall also be written by the Dean, to ensure that the degree certificate being issued is accepted by the said University or other authorities.

13. List on 10th July, 2020 for directions to ascertain that the Petitioner has been issued the degree certificate. The matter be listed for further hearing on 7th August, 2020.



PRATHIBA M. SINGH
JUDGE

JULY 07, 2020
MR/A

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