

Interim stay on the Subhanshu Singh & Ors. vs. JNU judgement!
JNU administration, talk to teachers and students now!

24 APR
2017

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The JNUTA is heartened by the interim order given by the Hon. Delhi High Court on the LPA by *Shubhanshu Singh & Ors vs. JNU* against the judgement dated 16 March 2017. The JNUTA is delighted that the court has accepted the students' Counsel (Sr. Adv. Arvind Nigam, with Ms. Vrinda Grover, Ms. Mangla Verma and Ms. Parijata Bhardwaj, Advs.) prayer that since the judgement contained **“completely erroneous” conclusions about the Constitutional status of the JNU Act.** The Division Bench of Acting Chief Justice Geeta Mittal and Justice Anu Malhotra, noting that the appellant “has made out a prima facie case so far as the reading of the Entries in the Lists in the Seventh Schedule of the Constitution of India is concerned”, and taking into account the fact that “the impugned order has given findings and made absolute propositions of law which would have wide ramifications”, directed **“a stay of the effect and operation of the findings on law of the Id. Single Judge” until 28 April.**

The JNUTA alerts the public to the fact that the JNU e-prospectus and admission policy notified on 21 March is the prime effect of the impugned judgement. The e-prospectus cites the impugned judgement explicitly in the FAQs on the Admissions website, and liberally references the binding

nature of the UGC regulations 2016 — an effect of the impugned judgement- virtually on every page.

The illegally imposed admission policy and e-prospectus that derives from it must be unconditionally and immediately withdrawn. JNU should display this stay order as prominently on the JNU website as it did the impugned order, and issue a press release saying that it shall indulge in no action w.r.t. admissions to the research programmes of JNU that constitute any violation of the stay order.

The JNUTA has always held that the issue is not of the UGC Act and whatever powers it accords it, but of the *guidelines* the JNU Act gives our university to harmonise UGC minimum standards with the experience and innovative practices our institution has evolved. Nothing in the UGC Act or the 2016 Regulations calls for an end to the processes of such harmonisation or for a slavish submission to the UGC that effaces all the academic development that the university has seen in fifty years. There is no need for this sorry state of affairs, JNUTA feels, and it hopes that the JNU administration will, even at this late stage, meet it halfway to ensure that the JNU Act, university autonomy, its social justice agenda in admissions and its core research character is upheld in every facet of the University's functioning, including its admissions policy.

The full order can be found here

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