



## Update on legal challenge by JNU students against changes to JNU admission policy, 20.2.17

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The JNUTA is pleased to announce that in the Writ Petition filed before the Delhi High Court by 5 students namely Shubhanshu Singh, Sarika Chaudhury, Akshat Seth, Aswathi Asok, and Ankit Singh (W.P.C. No. 1557/2017), was heard today before by Hon. Justice Kameshwar Rao. The Counsel appearing for JNU, Ms. Monika Arora, stated that she had not yet seen the writ petition (although an advance copy had been served on JNU's standing counsel as per standard procedure). The JNU lawyer accepted notice and sought a week's time to file a reply.

The JNU Counsel, stated that since she had not had time to study the writ, she had requested the Registrar of JNU, who was present in court to reply to another petition, to personally reply. On the Court's questioning, the Registrar, JNU replied

that it was indeed true that JNU was planning to issue the Prospectus in February itself. The Court asked him to give an oral undertaking that the Prospectus (and therefore the formal process of admissions) for the 2017-18 admissions would not be issued until the date of the next hearing, which is 2nd March 2017, and the Registrar, JNU agreed to the same.

Counsel for the petitioners, a team led by Senior Counsel Arvind Nigam and comprising of Vrinda Grover, Parijata Bhardwaj, Padma Priya, and Ratna A., argued strongly that since the matter pertained to admissions, which were due to begin any day now, the matter needed to be taken up urgently. Sr. Adv. A. Nigam also drew the court's attention to the admission policy notice of 16 February 2016 issued by JNU and argued that the same would affect the educational prospects of hundreds of students already enrolled in the university since 2016 besides prospective students.

It was further pointed out that reservation policy was likely to be violated by this proposed admission policy, as a major implication of the application of Clause 6.5 of the

UGC Regulations 2016 would be a drastic reduction in intake of students. It was also argued that the Admission Notification as it stands cannot be implemented, as it contains several contradictions and many uncertainties, given that it was not even clear as to whether intake figures would be computed on actual strength of faculty or total faculty position, including vacant positions.

The students' Counsel also highlighted the statutory breaches in discussions relating to the UGC Regulations 2016. Matters affecting students must mandatorily be conducted in Part A of Academic Council meetings, where student representatives are part of the deliberations. However, the admission aspects of UGC notification 2016 were discussed in the 141st and 142nd (B) Academic Council meetings, thereby excluding student representatives, in clear violation of the Statutes.

The JNU Registrar also stated before the Court that current students will not be affected by the UGC Regulations 2016, and that JNU will respect reservation policy. When it was pointed out to the Court by the students' Counsel that 308 posts were lying vacant in JNU,

the JNU Registrar indicated that the JNU will consider the proposal that intake capacity be calculated on sanctioned faculty strength.

The JNUTA thinks that there is reason for the entire JNU community to be extremely encouraged by the outcome of this first hearing, as the Hon'ble High Court has listened and admitted the students petition and the JNU administration has agreed before the Delhi High Court to withhold the Prospectus. Although we shall have to wait for the reply that JNU files to judge the University's sincerity (admittedly, somewhat belated) vis-a-vis the statements made by the Registrar in court today, JNUTA's doors for dialogue with the VC and his team are wide open. We hope that today's hearing would have kindled an impulse towards self-reform in the JNU administration.

Sd/-

Ayesha Kidwai

Pradeep K. Shinde

President, JNUTA

Secretary, JNUTA

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