

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, UILS.

The following members were present:

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

Dr. D.P.S. Randhawa, Fellow

Prof. Rajinder Kaur, Director, UILS

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

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/SGC)	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/SGC)	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

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:*
 - *Mask*
 - *Gloves*
 - *Personal transparent water bottle*
 - *Personal hand sanitizer (50 ml)*
 - *A simple pen* ○ *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.

RESOLVED:

After deep deliberations of the above-said points, the members along with Prof. Parvinder Singh, Controller of Examinations (as special invitee) are of the strong view that Panjab University, Chandigarh will not be able to cater to the conduct of Entrance Examination of more than 7000 candidates because of

COVID pandemic and following of various safety/precautionary measures as prescribed by Government of India.

Therefore, the members unanimously resolved that in the interest of the students at large, safety/precautionary measures because of COVID pandemic it will not be possible for the Panjab University to conduct the Entrance Test in any UG/PG Courses in Panjab University including B.A.LL.B. (Hons.)/B.Com.LL.B. (Hons.) 5 years Integrated Course and 3-year Law Course for the session 2020-2021.

The revised Admission Schedule for B.A.LL.B. (Hons.)/B.Com.LL.B. (Hons.) 5 years Integrated Course is available at ANNEXURE 'A'.

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

Assistant Registrar (CET)
Convener

Prof. Parvinder Singh, COE
Special Invitee

Prof. Navdeep Goyal

Prof. Meenu Paul

Dr. D.P.S. Randhawa

Prof. Rajinder Kaur

Dr. Dinesh Kumar

Confirmed

ANU CHATRATH
(Chairperson)