

\$~11 to 14

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

Date of Decision: 7th September, 2020

+ **W.P.(C) 3945/2020 & CM APPL. 21339/2020**

DHRITIMAN RAY

..... Petitioner

Through: Mr. Sarthak Maggon, Advocate.
(M:7045654395)
Mr. Subham Jain, Applicant in
person.

versus

UNIVERSITY OF DELHI & ORS.

..... Respondents

Through: Mr. Sachin Datta, Senior Advocate
with Mr. Mohinder J. S. Rupal and
Mr. Hardik Rupal, Advocates for DU.
(M:9811151216) with Professor D. S.
Rawat, Dean (Examinations), Dr.
Sanjeev Singh, Director, DUCC and
Mr. Onkar, AR (Examination Branch)
Mr. Ankur Chhibber and Mr.
Anshuman Mehrotra, Advocates for
R-2.
Mr. Apoorv Kurup and Ms. Nidhi
Mittal, Advocates for R-3/UGC.
Ms. Nidhi Raman, CGSC for UOI.
(M:9891088658)
Ms. Shefali Vohra, Advocate for R-4.
Ms. Sunieta Ojha, Advocate for
Digilocker.
Mr. Shlok Chandra, Ms. Mansie Jain
and Mr. Chandratanay Chaubey,
Advocates for R-5.

12

WITH

+

W.P.(C) 4444/2020 & CM APPL. 16012-14/2020

DR. AKSHITA KHOSLA

..... Petitioner

Through: Mr. Sarthak Maggon, Advocate.
versus

UNIVERSITY OF DELHI AND ORS. Respondents
Through: Mr. Sachin Datta, Senior Advocate
with Mr. Mohinder J. S. Rupal and
Mr. Hardik Rupal, Advocates of the
DU.
Mr. Apoorv Kurup and Ms. Nidhi
Mittal, Advocates for R-3/UGC.
Ms. Nidhi Raman, CGSC for UOI/R-
4.
Mr. Shlok Chandra, Ms. Mansie Jain
and Mr. Chandratany Chaubey,
Advocates for R-5.

13
+

WITH
W.P.(C) 4571/2020 & CM APPL. 16511-13/2020

DR. NAMAN BARECHA & ORS. Petitioners
Through: Mr. Sarthak Maggon, Advocate.
versus

UNIVERSITY OF DELHI & ORS. Respondents
Through: Mr. Sachin Datta, Senior Advocate
with Mr. Mohinder J. S. Rupal and
Mr. Hardik Rupal, Advocates of the
DU.
Mr. Apoorv Kurup and Ms. Nidhi
Mittal, Advocates for R-3/UGC.
Mr. Rajendra Sahu, Senior Panel
Counsel for UOI/R-4.
(M:9910008632)

14
+

AND
W.P.(C) 4754/2020 & CM APPL. 17158-59/2020

DR MILI ROHILLA & ORS. Petitioners
Through: Mr. Yatharth Rohila, Mr. Vishesh

Wadhwa and Ms. Swadha Gupta,
Advocates. (M:9999666038)

versus

UNIVERSITY OF DELHI & ORS.

..... Respondents

Through: Mr. Sachin Datta, Senior Advocate
with Mr. Mohinder J. S. Rupal and
Mr. Hardik Rupal, Advocates of the
DU.

Mr. Apoorv Kurup and Ms. Nidhi
Mittal, Advocates for R-3/UGC.

Ms. Sunieta Ojha, Advocate for UOI.

CORAM:

JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J. (Oral)

1. This hearing has been done by video conferencing.
2. Directions were passed with respect to the process of issuance of online degree certificates by University of Delhi (*hereinafter*, 'DU') by this Court vide order dated 7th August, 2020. On the said date, the Court was informed by Professor Vinay Gupta, Dean (Examinations) and Dr. Sanjeev Singh, Director, DUCC that all the data of students up till November, 2019 is available with the DU. The Court was also informed that an online portal has already been set up for issuance of digital degree certificates being www.digicerti.du.ac.in. In addition, data was to be transmitted to Digilocker. Considering the various submissions that were made on that date, the Court had directed as under:

“12. In the meantime, all such students who require their digital degree certificates due to any urgent deadlines etc., are free to register on the portal and the officials at DU shall ensure that their digital degree certificates are issued within a period of one week from registration. In case the

portal is not working for any reasons, the details may be submitted on the e-mail addresses of Dr. Sanjeev Singh and Prof. Vinay Gupta, as mentioned below, and steps shall then be taken within the time prescribed.”

3. In addition, DU was also to look into the question whether marksheets and transcripts of the students can be issued digitally. It is submitted that the Id. Division Bench has also directed the DU to consider issuance of transcripts and marksheets digitally in W.P (C) 3199/2020 titled Prateek Sharma & Anr. v. Union of India & Anr. vide order dated 1st September, 2020.
4. W.P.(C) 3945/2020 was then listed on 2nd September, 2020 on an impleadment application filed by a student of DU, who graduated in 2017 from Shri Ram College of Commerce (SRCC). It was his case that he had applied to obtain his digital degree certificate on 14th August, 2020 but was not issued the same till date, even though as per the order dated 7th August 2020, the DU was to issue the certificates within 1 week from the receipt of application. It was also submitted that, the DU sent a response to the request with a disclaimer, that it wanted the students to file hard copies of the documents submitted online, physically as well.
5. Further, Mr. Maggon, Id. counsel for Petitioners submits that he has received a large number of calls from students, who need their degree certificates on an urgent basis and have not been issued the same, despite applications being filed on the online portal. This Court had taken note of all the submissions and had directed affidavit to be filed by the DU vide order dated 2nd September, 2020.
6. Today, the Court is being informed that Professor Vinay Gupta is

unwell and he has not been attending office for the last 2 weeks. Three officials from the DU have joined the hearing today, namely Mr. Onkar, Assistant Registrar (Examination Branch), Dr. Sanjeev Singh, Director, DUCC and Professor D. S. Rawat, Dean (Examinations). After interacting with them during the course of hearing, the following facts have emerged:

- 1) After order dated 7th August 2020, insofar as the online portal of DU is concerned, more than 30,000 students have applied to obtain digital degree certificates and none of them have been issued the certificates.
- 2) The data of 28,000 students, which constitutes approximately half of the students who have graduated in 2017, has been uploaded on Digilocker. However, in order for the same to be accessed by students, the date of birth of the students is to be added to the Digilocker data.
- 3) The date of birth of all the students is to be obtained by the DU from all its colleges and transferred to Digilocker.
- 4) Insofar as the students who graduated in 2018 and 2019 are concerned, no data is available with the Examination Branch of the DU. Professor Rawat states that the said data has now been requested from the various colleges and faculties. He states that he has held a meeting with all the college principals last evening and he would be receiving the data of 2018 within a period of 4 days and for 2019 within 10 days. He also states that for 2019, the DU has decided to affix passport size photographs on the degree certificates, hence the longer time requirement.
- 5) Insofar as students who have an urgency issue either due to

foreign admissions or employment or any other urgent requirement is concerned, Professor Rawat assures the Court that upon receiving an email from students with any documents in support, such students shall be issued their certificates within a period of 7 working days, without asking any further questions from the students or prescribing any further requirements.

7. It is further submitted on behalf of DU, that Professor Vinay Gupta, Dean (Examination) is likely to join back in the next 2 days and the matter may be taken after that.

8. Ms. Suneita Ojha, ld. counsel appearing for Digilocker submits that insofar as data related to 27656 students, who have graduated in 2017 is concerned, the said students can obtain their certificates from Digilocker which can also be used for the purpose of the students' requirements. She submits that as per Rule 9A of the IT (Preservation and Retention of Information by Intermediaries providing Digital Locker Facilities) Rules 2016, the certificate generated from the Digilocker system is equivalent to the original degree documents.

9. Heard. The submissions made today shows that after passing of order dated 7th August 2020, no effective action is taken by the DU. In fact the purpose of creating the set up for issuance of online degree certificates is sought to be defeated by insisting on physical submission of documents. It is accordingly directed that DU shall henceforth not insist on physical submission of documents for the purpose of issuance of digital degree certificates. The said requirement in the auto-generated email which is sent to students who apply on the portal for the online degree certificates, shall be deleted forthwith.

10. On 7th August 2020, this Court was categorically informed that the data of all students who graduated till November 2019 is available for issuance of the online degree certificates. However, today DU officials have completely resiled from this position. The fact that more than 30,000 students have applied for obtaining online degree certificates and not even a single certificate is issued, except for the Petitioners before this court, establishes that the need of students is not being met.

11. Before proceeding further, it is deemed appropriate to direct filing of an affidavit capturing the above facts. In the said affidavit, a proper timeline shall be given as to by when the digital degree certificates shall be issued for both urgent and non-urgent requests, separately. The affidavit shall also set out the process for students to download documents from Digilocker, in respect of those students whose data has been transmitted. Let the affidavit be filed before the next date of hearing.

12. In the meantime, all the students who have an urgent requirement for digital degree certificates shall again forward the request they have already uploaded on the portal by marking the same under the subject header as **'Priority/Urgent'** to the email address being digitaldegree@du.ac.in. Along with the said email, any document to establish the urgency may also be attached, such as a letter from employer, letter from any Indian or foreign University or any document showing a deadline. For such students, the degree certificates shall be issued, within 7 working days.

13. In view of the fact that uploading on the portal and sending the email would result in duplication of effort, Dr. Sanjeev Singh will consider creating an 'urgency' tab on the portal itself, so that students, who have an urgency, can submit such additional documents on the portal, rather than

sending a separate email to establish urgency.

14. List on 11th September at 2:30 p.m. All the three officials who have appeared today, shall join the hearing on the next date, along with Professor Vinay Gupta.

15. Copy of this order or a circular be uploaded on the DU website with the above information, in order to enable students to have access to the same.

**PRATHIBA M. SINGH
JUDGE**

SEPTEMBER 7, 2020/dk/A

