IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 2275/2010

DR.RAJEEV KUMAR ..... Petitioner

Through: Mr. Prashant Bhushan with Mr. Ramesh K. Mishra and Mrs. P. Swatija, Advs.

versus

THE UNION OF INDIA and ORS ..... Respondent

Through: Ms. Meera Bhatia, Adv. for UOI.
Mr. Arjun Mitra, Adv. for IIT, Delhi.
Mr. Anand Varma, Adv. for R-5.
Mr. Nikhil Nayyar and Mr. P. Srikumar Iyer, Advs. for R-6.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

O R D E R

29.08.2012

The petitioner had filed written submissions which are in the nature of suggestions given by the petitioner to improve the examination system. The respondent No.6 has filed response thereto, wherein it is stated that while some of the suggestions are acceptable, the other suggestions are under consideration. It would be appropriate, if the remaining respondents also file their response to the written submissions filed by the petitioner.

List on 31st October, 2012.

ACTING CHIEF JUSTICE

RAJIV SAHAI ENDLAW, J

AUGUST 29, 2012/?gsr?..

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IN THE HIGH COURT OF DELHI AT NEW DELHI

WP (C) NO. 2275 / 2010

IN THE MATTER OF

DR. RAJEEV KUMAR ... PETITIONER

VERSUS

UNION OF INDIA & ORS. ... RESPONDENTS

REPLY BY WAY OF AFFIDAVIT ON BEHALF OF RESPONDENT NO. 6, IIT DELHI, TO THE WRITTEN SUBMISSIONS FILED BY PETITIONER

AFFIDAVIT

Of Prof. GB Reddy, son of Shri Gade Bhadri Reddy, aged about 58 years, resident of 58, Vikramshila Apartments, IIT Delhi campus, New Delhi

I the deponent above named do hereby solemnly affirm and declare as under:-

1. That I am the Organising Chairman, IIT JEE 2012 of the Indian Institute of Technology Delhi (the Institute). I am conversant with the facts of the case and I am authorised to depose the present affidavit on behalf of the Institute. Thus I am competent to swear the present affidavit.

2. That the present affidavit is being placed before the Hon'ble Court to give the response of the Institute to the written

submissions filed on behalf of the petitioner, containing his suggestions for the JEE system.

3. That the contents of paragraphs nos. 1 to 6 of the written submissions are not being responded to, since they contain a gist of the allegations forming part of the writ petition. However, it is submitted that the decisions for improving the IIT JEE 2012 was taken from October 2011 onwards, till end of April 2012 and the ranks were declared on 18.05.2012. In the meantime, most of the points emanating from the petitioner in the written submissions have already been implemented. It is submitted that subject to the orders of this Hon'ble Court, it is the prerogative of the future Organising Committees/Joint Admission Boards, to modify the conduct of the IIT JEE, as per their requirements and prevailing situation.

4. Subject Cut off marks:- The suggestion of the petitioner is that the selection and ranking criteria, e.g. subject wise cut offs etc should be based on fixed criterion known before hand. It is submitted that in IIT JEE 2012, this has already been implemented and the subject wise minimum marks were made known to the candidates well in advance.

5. Answer Keys:- The suggestion of the petitioner is for disclosing the answers on the day of examination for the feedback of the public. It is submitted that the suggestion shall be placed before the next organising committee for their consideration.

6. ORS tampering:- The suggestion of the petitioner for the carbon copy of the ORS to be provided has already been implemented, since the carbon copy is provided to the candidate. However, the remaining suggestion would not have the desired effect, since in such cases, the possibility of tampering would still exist. The present system is that the carbon copy is handed over to the candidate and a scanned image of the ORS (IIT's copy) is uploaded on the internet

before the results are declared, which can be accessed only by the candidate concerned. Therefore, the candidate also has sufficient opportunity to seek redress of any grievance.

7. In paragraph 10, the petitioner's suggestion is already being implemented and moreover, the question wise response of the candidate is also declared; this can be viewed and print out can be taken, by the candidate.

8. Admission counselling: Extensive measures have been taken for ensuring that seats do not remain vacant and these steps have already been highlighted in the earlier affidavit filed by IIT Delhi. The additional suggestions of the petitioner shall be placed before the next organising Institute, for their consideration.

9. The Single Examination system suggested by the petitioner is under the consideration of the Government of India and it is submitted that the same may be awaited, before any directions are passed by this Hon'ble Court.

10. In view of the above, it is submitted that the concerns of the petitioner have already been addressed and the writ petition may kindly be disposed of accordingly.

DEPONENT

VERIFICATION:

I, the deponent above named do hereby verify that the contents of the above affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Verified at New Delhi on this ___ day of July 2012.

DEPONENT