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ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: The Hindu ದಿನಾಂಕ : DATE: 29/8/2020

States can apply to UGC for extension of exam deadline: SC

Their powers under DM Act do not extend to promotions without tests, it says

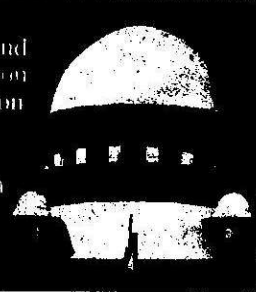
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NEW DELHI

States are empowered under the Disaster Management Act to override the University Grants Commission (UGC) exam guidelines in order to protect human lives amid the COVID-19 pandemic, the Supreme Court held on Friday.

A three-judge Bench, led by Justice Ashok Bhushan, upheld the power of a State and its disaster management authority to countermand the revised UGC guidelines of July 6 to conduct the final year and terminal semester examinations by September 30.

'Saving lives paramount'
"In case of a disaster, the priority of all authorities under the Disaster Management Act, 2005 is to imme-

When the State Disaster Management Authority and State government take a decision that for mitigation or prevention of disaster it is not possible to hold physical examination in the State, the decision is within the four corners of Disaster Management Act, 2005



diately countermand the disaster and control to save human life. Saving lives of human being is given paramount importance," Justice Bhushan, who authored the 160-page judgment, said the Bench emphasised.

But the court held that the powers of the States under the Disaster Management Act do not extend to promoting students on the sole basis of their internal assessment without taking exams.

"When the State Disaster Management Authority and State government take a decision that for mitigation or prevention of disaster it is not possible to hold physical examination in the State, the decision is within the four corners of Disaster Management Act, 2005. However, their decision that students should be promoted without appearing in the final year examination is not within the domain of the Act," the

Bench, including Justices R. Subhash Reddy and M.R. Shah, concluded.

In future, if any State found it impossible to conduct the exams by September 30 and wanted to postpone them, it could apply to the UGC, which would consider the request and decide at the earliest, the court directed.

Justice Bhushan, however, disagreed that the revised UGC guidelines was "unreasonable", and a violation of the right to life of students and examiners.

The July 6 guidelines were based on the recommendations of the R.C. Kuhad Expert Committee, the court pointed out.

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