

(2015) 08 P&H CK 0205
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 15726 of 2015

Ajay Pal Singh and Others

APPELLANT

Vs

Guru Angad Dev Veterinary and Animal Sciences University
and Others

RESPONDENT

Date of Decision : 03-08-2015

Acts Referred:

Veterinary Council Act, 1984 — Section 15

Citation : (2015) 4 SCT 603

Hon'ble Judges : Rakesh Kumar Jain, J.

Bench : Single Bench

Advocate : S.C. Nagpal, Advocate, for the Appellant; Har Naresh Singh Gill, Advocate, for the Respondent

Final Decision : Dismissed

Judgement

Rakesh Kumar Jain, J.—The petitioners, who are students of the Khalsa College of Veterinary and Animal Sciences, Amritsar (hereinafter referred to as the "respondent-college"), passed their degree of Bachelor in Veterinary Science & Animal Husbandry (B.V. Sc. & A.H.), after completing 4-1/2 years course. The Guru Angad Dev Veterinary and Animal Sciences University, Ludhiana (hereinafter referred to as the "University") issued prospectus for the academic session 2015-2016 for admission in the Masters' Course in Veterinary Science. The last date for submission of the application form without late fee was 15.06.2015, with late fee 22.06.2015 and the interview for the Master's Programme was fixed on 27.07.2015. The schedule of the Common Entrance Test/Counselling/Interview has been provided in the prospectus under Chapter-II. The relevant portion concerning the M.V.Sc. course is reproduced as under:--

"B. Schedule of Interview and Counselling for Admission to Master's Programmes:

Selection to the Masters' programme will be done on the basis of merit prepared

as cumulative score of marks of qualifying examination (80%) and interview (20%). The interview for the Master's admission will be held on 27.07.2015 at 09.00 a.m. in the Auditorium, Silver Jubilee Block, COVS. Merit List will be displayed on the University website www.gadvasu.in two days before counselling."

According to the prospectus, there were 47 seats in the M.V.Sc. course for the candidates belonging to the State of Punjab. The University invited applications for admission on the prescribed format in the M.V.Sc. course. The petitioners filled up their form, complied with the instructions, paid the requisite fee and their names were put up on the notice board for interview fixed for 27.07.2015. On the said date, i.e. 27.07.2015, the petitioners reached the premises of the University and signed the register meant for the attendance of the candidates appearing for the interview, but they were not called without any reason. It is alleged that the Veterinary Council of India (hereinafter referred to as the "VCI") has already recommended to the respondent No. 2-Union of India for recognition of the B.V. Sc. & A.H. degree qualification in respect of the respondent-college, as affiliated to the University. The University has also written a letter to respondent No. 2 for the grant of provisional registration on 08.04.2015. Thus, the petitioners have approached this Court for the issuance of a writ in the nature of mandamus, directing the respondents to interview the petitioners, draw out the merit list and permit them to participate in the counselling and admit them in the M.V.Sc. course for the academic session 2015-2016 and issue the P.D.C. forthwith, which is lying prepared and pending with the University.

2. After notice, the University has put in appearance and it is submitted that the respondent-college is not a recognized college by the VCI. The only college recognized by the VCI in the State of Punjab is the College of Veterinary Sciences, Ludhiana, and a note has been given by the VCI that "it is brought to the notice of general public, guardians and students that the degree of Veterinary Sciences conferred by the veterinary colleges affiliated to the respective Universities as above is a recognized veterinary degree qualification for the purpose of the Indian Veterinary Council Act, 1984. Any person seeking admission to the other than these veterinary colleges will be doing so at his/her own risk and the Government shall not be liable of any consequences thereof towards recognition of the degree qualification in future".

3. It is also submitted that as per Section 15 of the Indian Veterinary Council Act, 1984 (hereinafter referred to as the "Act"), any veterinary qualifications granted by any veterinary institution in India which are included in the First Schedule shall be recognized as veterinary qualification for the purposes of the Act. Section 15 of the Act is reproduced as under:--

"15. (1) The veterinary qualifications granted by any veterinary institution in India which are included in the First Schedule shall be recognized veterinary qualifications for the purposes of this Act.

(2) Any veterinary institution in India which grants a veterinary qualification not

included in the First Schedule may apply to the Central Government to have such qualification recognized and the Central Government, after consulting the Council, may, by notification in the Official Gazette, amend the First Schedule so as to include such qualification therein and any such notification may also direct that an entry shall be made in the last column of the First Schedule against such veterinary qualification declaring that it shall be a recognized veterinary qualification only when granted after a specified date."

4. It is also submitted that for admission to the Masters' Programme, i.e. M.V. Sc, the University has laid down the following conditions:--

"The minimum qualification for admission to M.V.Sc. programme in COVS shall be B.V. Sc. & A.H. or equivalent degree with minimum OCPA/OGPA of 6.00 (out of 10.00) or at least 60% marks in aggregate. The College where the candidate has studied for his/her B.V. Sc. & A.H. programme must be recognized by the VCI and the candidate registered with the VCI."

5. Counsel for the petitioners has failed to show that the respondent-college, from where the petitioners have obtained their degree of B.V. Sc, is recognized with the VCI and they have been registered with the VCI.

6. As a matter of fact, the only veterinary college in the State of Punjab recognized with the VCI is the College of Veterinary Sciences, Ludhiana. Therefore, a mere recommendation made by the VCI to the Central Government for recognition of the B.V. Sc. programme in respect of the respondent-college, as affiliated to the University, is not sufficient because the requirement is that the college from where the students have studied the B.V. Sc. & A.H. programme should be recognized by the VCI and the candidate should be registered with the VCI, which is conspicuous by its absence in the case of the petitioners.

7. Thus, in view of the aforesaid facts and circumstances, I do not find any reason for this Court to issue a writ in the nature of mandamus, as prayed for. Consequently, the present writ petition is hereby dismissed.