

(1994) 10 DEL CK 0029
In the Delhi High Court
Case No : C.W.P. No. 3700 of 1994

Manavjit Singh Sandhu

APPELLANT

Vs

Shri Ram College of Commerce and others

RESPONDENT

Date of Decision : 05-10-1994

Acts Referred:

Citation : AIR 1995 Delhi 258

Hon'ble Judges : D.P Wadhwa, J;Cyriac Joseph, J

Bench : Division Bench

Advocate : R.K. Anand, with Arun Birbal, for the Appellant; R.N. Saxena with Ms. Shalini Kapoor, for the Respondent

Judgement

D. P. Wadhwa, J.—The petitioner, a minor, by this petition under Art. 226 of the Constitution, seeks admission to the first year B.Com. (Hons.) Course in Shri Ram College of Commerce ("College" for short), respondent No. 1, for the academic year 1994-95. He seeks admission in sports quota. He says he is a sportsman of international calibre and had represented India in various international shooting events. He says he is entitled to admission on the basis of sport quota.

2. We issued notice to show cause as to why rule nisi be not issued and in answer thereto an affidavit has been filed by Dr. D.C. Sancheti, Principal of the College. He does not question the attainments of the petitioner in shooting events, but his objection is that the game of shooting is not inter-university or inter-college item and, Therefore, the college could not accept the candidature of the petitioner. It is submitted that the petitioner has not been admitted in the college in the sports quota as per the Delhi University Ordinance, Bulletin of Information of University of Delhi for admission to B.Com. (Hons.) and B.A. (Hons.) Courses and also the prospectus issued by the college of the year 1994-95, and that there has not been any violation of any Rules or Regulations. The Principal also submits that the petitioner has already got admission in B.Com. (Hons.) I Year Class in Shri Venkateshwara College, and that now it

would be a case of migration which the college does not permit. The fact that the petitioner has already got admission in a Delhi University College was not mentioned in the petition.

2. The petitioner says that stand of the college is wrong that earlier certain persons were admitted on the basis of their achievements in the sports of shooting. This fact is not denied by the Principal, but he says that admission had been granted on the assurance and understanding given by the University sports authorities that inter-college shooting competitions would be held and since this was not done the college authorities decided that they would rather take other sports persons than the shooters in the college fold. In the Bulletin of Information issued by the University of Delhi, procedure is prescribed for admission on the basis of sports. Not more than 5% of the total number of seats can be offered for admission on the basis of sports and these admissions are to be finalised by each college on the recommendation of a committee consisting of the Principal Director of Physical Education and some teachers and students associated with the sports, to be constituted for the purpose by the respective college. Preference will be given to sports activities in which Delhi-University Inter-College and inter-university competitions are held. When we refer to criteria for admission in the sports quota in the prospectus of the college, it is mentioned that the Sports Admission Committee shall screen/ evaluate the applications, hold interviews and trials on playgrounds and recommend candidates on the basis of sports. Principal says that it is the obligation of the Staff Council of the College to admit the students and that Sports Admission Committee is a sub-committee (of the staff Council) which has not approved the admission of the petitioner in the category of sports. Stand of the college is that it is for the college authorities to decide as to which particular sports person is to be admitted against the limited seats available as a balance has to be maintained between the needs and requirements of the sports activities in the college and the development of various games and sports. The college, it is stated, has already admitted students in games like football, hockey, tennis, basketball, swimming, judo, squash and athletics, and would like to develop these sports further and admit students in sports quota which can bring laurels to the college in these sports. Thus according to the learned counsel for the college candidates were admitted in the sports quota giving preference to the sportsmen in the sports items included in the inter-college and inter-university competitions and also with a view to develop and strengthen the various teams in the college. He also said it is permissible as per Bulletin of Information of the university. It is further stated that recommendation of the Vice-Chancellor that the petitioner be admitted in sports quota over and above 5% fixed in the Bulletin of Information has no legal sanctity and also the various recommendatory letters issued by the Delhi University Sports Admission Advisor Committee on which the petitioner relies.

3. We find the stand taken by the college is correct. It cannot be compelled to admit students in sports quota in any sports in which a student seeking

admission may be proficient. It is certainly left to the college authorities to decide which particular sport is to be preferred. Petitioner has already got admission in one of the colleges of the Delhi University. We, Therefore, do not wish to interfere in this matter. By this time admissions to the colleges are all closed. Petition is dismissed.

4. Petition dismissed.