

CWP No.25792 of 2015

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP No.25792 of 2015
Date of decision:26.05.2016**

Sardar Ajmer Singh Charitable Foundation ...Petitioner

Versus

State of Punjab and another ...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Nitin Kant Setia, Advocate,
for the petitioner.

Mr. Suresh Singla, Addl. A.G., Punjab.

Mr. Sarabjit Singh, Advocate,
for respondent No.2.

Rakesh Kumar Jain, J.

The petitioner-society is running a nursing institute in the name of Mohali Nursing College in the State of Punjab, affiliated with the Punjab Nurses Registration Council (PNRC). The petitioner has been permitted by the Government of Punjab, Indian Nursing Council (INC) and the PNRC to admit students in the General Nursing and Midwifery (GNM) and Auxiliary Nursing and Midwifery (ANM) courses. Since the PNRC has refused to recognize admissions made by the petitioner-institute as per the INC norms and has refused to accept the admission forms of the students admitted for 2015-2016 batch in GNM and ANM courses, therefore, the present petition has been filed.

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It is alleged that pursuant to the permission granted by the PNRC, the petitioner had admitted 17 students in GNM course as against the sanctioned strength of 40 and 4 students in the ANM course as against the sanctioned strength of 30. It is further alleged that the PNRC had started process of online admission for the first time from 2015 and the colleges assigned to it were required to upload their admission forms on the PNRC portal before 31.10.2015. It is submitted that all the colleges in the State of Punjab were given login details and the petitioner has been given login details only 4 days before the last date i.e. 26.10.2015 without giving information as to how to use the portal.

It is submitted by the petitioner that due to technology snags and the portal was not working properly, it could not upload the admission forms along with documents on the PNRC portal i.e. www.pnrconline.in and the portal was closed on 31.10.2015 midnight. The petitioner allegedly approached the PNRC many times in order to bring to its notice the difficulty faced by it, due to which the admission forms of the students admitted by it could not be uploaded on the PNRC portal before the cut-off-date i.e. 31.10.2015 midnight. Ultimately, the petitioner requested the PNRC to accept the admission forms manually but the respondents refused to recognize the admissions stating that the admissions, which were not reflected online, would not be allowed and shall be deemed as illegal admissions.

While referring to the norms of the INC, it is submitted that the petitioner-institute is obliged to deposit the admission forms along with

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requisite documents as well as admission fee with the PNRC within 30 days after the admissions are over i.e. upto 30.11.2015 and only then the admissions would be considered as valid. The extract of the INC resolution dated 29.10.2014, referred to by the petitioner, is reproduced as under:-

“28. Last date of admission to al the nursing courses

1. Admission shall be only once in a year
2. No additional batch to be admitted
3. October 31st 4.00 PM will be the last date of admission
4. All institutions shall submit the last date of admission
5. All institution shall submit the list of students admitted to ANM, GNM, B.Sc. (N), M.Sc. (N) to the SNRC/Boards/University on the said abovesaid date.
6. The list of candidates admitted for all nursing courses till 31st October shall be submitted to SNRC within one month and only those candidates will be considered for registration upon completion of respective qualification.”

In reply, it is submitted by the respondents that the petitioner itself has categorically admitted that the admission forms along with the documents were not uploaded online by the petitioner before the cut-off-date i.e. 31.10.2015 midnight and there is no procedure to recognize the admissions after the cut-off-date. Insofar as Clause 6 of the aforesaid INC resolution is concerned, it is submitted that it would apply if the list of candidates is uploaded online on the PNRC portal before 31.10.2015 and, thereafter, within one month hardcopy of their admission forms and documents is supplied.

I have heard learned counsel for the parties and examined the available record.

There is no dispute that the PNRC has given the login details to

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the petitioner and the last date by which the admission forms along with requisite documents were asked to be uploaded was 31.10.2015, which has not been done by the petitioner only on the ground that it was not familiar with the procedure although there is no dispute that the other colleges have uploaded their admission forms and requisite details well within time. The resolution dated 29.10.2014 of the INC, particularly Clause 6 thereof, is also of no use to the petitioner because it provides that the institute has to submit the list of candidates admitted for all nursing courses till 31st October within one month of the submission of their online admission forms with hardcopy of the admission forms for the purpose of completion of registration and it would not mean that the petitioner can supply both hardcopy as well as online admission forms upto 30.11.2015.

Thus, viewed from any angle, there is hardly any reason for this Court to interfere in the present petition and hence, the same is hereby dismissed being denuded of any merit.

May 26, 2016
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(Rakesh Kumar Jain)
Judge