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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 5570/2018

AMIT EDUCATIONAL AND SOCIAL WELFARE SOCIETY
(REGD) & ANR

..... Petitioners

Through Mr. P. Vinay Kumar and Mr. Pramod
Kumar Bhardwaj, Advs.

versus

UNIVERSITY GRANTS COMMISSION

..... Respondent

Through Mr. Manoj Ranjan Sinha, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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23.05.2018

CM APP No. 21685/2018

1. Allowed, subject to just exceptions.

W.P.(C) 5570/2018 & CM APP No. 21684/2018

2. The petitioners' grievance is that even though while approving his journals, a rigorous procedure as established under the guidelines as framed by the University Grants Commission (UGC) was followed, however, for removal of their journals from the approved list even the bare minimum safeguard such as issuance of notice etcetera was not adhered to. In other words, the contention is that the impugned notification is violative of the principles of natural justice.

3. My attention in this behalf has been drawn to the UGC notification dated 11.7.2016, which required the concerned university to identify the journals, *albeit*, subject-wise via an expert committee and thereafter, have its recommendation forwarded to the UGC in the

prescribed format for approval by the UGC standing committee.

4. According to the petitioners, this procedure was followed and, as indicated above, its journals were approved. However, it seems via the impugned notification dated 2.5.2018, the petitioners' journals which form part of 4,305 journals, have been removed on grounds of poor quality, insufficient information as also false claims contained therein.

4.1 Learned counsel for the petitioners says that no specific allegations were made known and therefore, the impugned notification has affected all and sundry without the concerned party being any wiser as to the charge levelled against it.

5. My attention has also been drawn to annexure P-12 at page 167 of the paper book, whereby, the UGC now seems to have realised the impact of the impugned notification and has, thus, advised that the complaints be routed through the concerned Universities.

6. Mr. Sinha, who, appears on an advance notice on behalf of the respondent/UGC, says that since the petitioners have preferred a representation dated 3.5.2018, it could be considered and the writ petition could be disposed of on that basis.

7. Accordingly, the writ petition is disposed with the direction to the respondent/UGC to consider the representation of the petitioners within two weeks from the date of receipt of the copy of the order.

8. The respondent/UGC will accord a personal hearing to the petitioners.

9. Prior to granting a personal hearing in the matter, a show cause notice will be issued indicating herein as to what are the specific deficiencies which mar the petitioners' journals.
10. Opportunity will also be given to the petitioners to file a reply to the said show cause notice.
11. The concerned authority under the respondent/UGC will pass a speaking order; a copy of which will be furnished to the petitioners.
 - 11.1 In case the petitioners are still aggrieved, they will have liberty to assail the same.
12. It is also made clear that if the respondent/UGC is not able to conclude the adjudication of the show cause notice in the period indicated above, then, the position as it obtained prior to the issuance of the impugned notification, i.e. 2.5.2018 shall stand restored *vis-a-vis* the petitioners.
13. Pending application shall also stand closed.
14. *Dasti.*

RAJIV SHAKDHER, J

MAY 23, 2018

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