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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:15.11.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

WP (MD) No.16054 of 2021

G.Thirumurugan
@ Theeran Thirumurugan .. Petitioner

Vs.

1.Union of India,
rep. By the Secretary,
Department of Science and Technology,
Government of India,
Technology Bhavan,
New Mehrauli Road,
New Delhi 110 016

2.National Advisory Committee,
rep. By the Chairman,
National Advisory Committee,
Koshore Vaigyanik Protsahan Yojana
Technology Bhawan,
New Mehrauli Road,
New Delhi 110 016

3.The Director,
Indian Institute of Science,
Bangalore 560 012

4.The Co-Chairman,
National Advisory Committee,
Koshore Vaigyanik Protsahan Yojana
Indian Institute of Science,
Bangalore 560 012

5.The Convenor,
Koshore Vaigyanik Protsahan Yojana
Indian Institute of Science,
Bangalore 560 012 .. Respondents

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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to (a) conduct the 'Aptitude test' of Koshore Vaigyanik Protsahan Yojana, Fellowship that is scheduled to be held on 07.11.2021 also in all the languages placed in the 'Eighth Schedule of the Constitution of India, 1950' in the interest of the students who had studied in the stream of their vernacular languages, (b) to increase the number of test centres of the 'Aptitude test' of Koshore Vaigyanik Protsahan Yojana, Fellowship in the southern districts of the State of Tamil Nadu that is scheduled to be held on 07.11.2021. (c)to reduce the application fees for the 'Aptitude test' of Koshore Vaigyanik Protsahan Yojana, Fellowship in the interest of the students hailing from the poor families in accordance with law.

For the Petitioner : Mr.S.S.Ramdas,
Senior Counsel,
for Mr.R.Alagumani

For the Respondents : Mr.Sankaranarayanan,
Additional Solicitor-General,
for Mr.K.Srinivasamurthy,
for the first respondent
Mr.S.Ravi,
for M/s.Gupta and Ravi,
for respondents 3 and 4

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The matter pertains to the Kishore Vaigyanik Protsahan Yojana, a programme started in 1999 by the Department of Science and Technology of the Government of India, to encourage students who are studying basic sciences to take up research careers in science. The aim of the programme is to identify and encourage talented and motivated students to pursue a career in scientific research.

2. The grievance that the petitioner carried to court was that the examinations conducted for the purpose of unearthing young talent were only in English and Hindi. Accordingly, an initial order was made when the matter was moved before the Madurai Bench of this court on October 25, 2021 when it was directed that the examination scheduled to be conducted on November 7, 2021 will not be held and remain suspended and

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postponed.

3. When the matter appeared thereafter, particularly on November 9, 2021, it was submitted by learned Additional Solicitor-General that the process of conducting the relevant examination in other Indian languages would take at least five to six months to organise. Learned Additional Solicitor-General made a plea that the exercise for the present year be permitted to be undertaken upon the Union confirming that from next year the examination would be more broad-based and conducted in as many more scheduled languages as possible and practicable.

4. Accordingly, it was observed in the order of November 9, 2021 that as long there was a firm commitment by the Union to undertake the protracted exercise over the next six or eight months to ensure that the talent search examination could be conducted in all the scheduled languages, or as many of them as may be practicable, the court may permit the present year's edition of the talent search to go on only in English and Hindi.

5. An affidavit has been filed affirmed by Scientist 'G' and Head INSPIRE/MANAK Division of the Department of Science and Technology and also by Scientist 'F' in the same Department indicating that the respondents are unable to prepare question papers in as many languages as possible apart from English and Hindi for the present year. The methodology for the talent search contest is indicated at paragraph 3. At paragraphs 4 and 5 of the affidavit, it has been stated as follows:

> "4. I submit that the Respondents have already reached out to National Testing Agency (NTA) and such other agencies to conduct the test in a manner that the subject test is accessible to all.
>
> 5. I reiterate that, the Respondents shall take all necessary steps to prepare the questions and make the same available in as many languages as possible and practicable on the computer based test platform apart from English and Hindi from the next year. The said process would consume a minimum of seven (7) to Eight (8) months."

6. In view of the above commitment by the Union to ensure that the talent search contest is conducted in more languages in future years, and that the apparatus therefor would be set up over the next seven to eight months, WP (MD) No.16054 of 2021 is

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disposed of with the observation that this year's edition of the contest may be conducted only in English and Hindi as originally scheduled, but from the 2022 edition, it must be in most of the scheduled languages apart from English and Hindi. There will be no order as to costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar
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To:
1.The Secretary,
Department of Science and Technology,
Government of India, Technology Bhavan,
New Mehrauli Road, New Delhi 110 016

2.The Chairman,
National Advisory Committee,
National Advisory Committee,
Koshore Vaigyanik Protsahan Yojana
Technology Bhawan, New Mehrauli Road,
New Delhi 110 016

3.The Director,
Indian Institute of Science,
Bangalore 560 012

4.The Co-Chairman,
National Advisory Committee,
Koshore Vaigyanik Protsahan Yojana
Indian Institute of Science,
Bangalore 560 012

5.The Convenor,
Koshore Vaigyanik Protsahan Yojana
Indian Institute of Science,
Bangalore 560 012

WP (MD) No.16054 of 2021
KSM (CO)
K.RK. (22.11.2021)

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