



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(1) CWP No.28022 of 2023(O&M)
Reserved on: 08.08.2024
Date of Order:22.08.2024

New Malwa Educational Welfare Society

.Petitioner

Versus

Punjab Nurses Registration Council (PNRC) and
another

..Respondents

(2) CWP No.28056 of 2023(O&M)

Malwa Educational Society

.Petitioner

Versus

Punjab Nurses Registration Council (PNRC) and
another

..Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. Ranjit Singh Kalra, Advocate
for respondent no.1.

Mr. Salil Sabhlok, Sr. Deputy Advocate General, Punjab.

ANIL KSHETARPAL, JUDGE

1. BRIEF FACTS OF THE CASE

1.1 With the consent of the learned counsel representing the parties,
two connected civil writ petitions i.e. Civil Writ Petition No.28022 of 2023
(New Malwa Educational Welfare Society vs. Punjab Nurses Registration
Council(PNRC) and another) and Civil Writ Petition No.28056 of 2023



(Malwa Educational Society vs. Punjab Nurses Registration Council(PNRC) and another) shall stand disposed of by a common order. Both these writ petitions were filed on 08.12.2023, through Sh. Hargobind Singh son of Sh. Jarnail Singh. In substance, the petitioner's prayer is to extend the date for submission of the documents and for issuing writ of mandamus directing the respondent No.1 to allow them to generate challans and complete admission process of students in diploma courses of Auxiliary Nursing and Midwifery (ANM) and General Nursing and Midwifery (GNM).

1.2. New Malwa Educational Welfare Society which runs a nursing institute under the name of 'New Malwa Institute of Nursing' claims admission of 50 students in (ANM) course and 40 students in (GNM) course, whereas, Malwa Educational Society runs two educational institutes, Dr. Ravinder Institute of Nursing and Malwa College of Nursing. For the Session 2023-24, Dr. Ravinder Institute of Nursing has admitted 40 students each in ANM and GNM course, whereas in Malwa College of Nursing, 60 students of GNM course have been claimed to be admitted.

1.3. Indian Nursing Council is the umbrella organization. At the State level, Punjab Nurses Registration Council (PNRC) has been constituted which sets the rules and regulations with respect to the admission process. It is important to take note of the following time-line with respect to the online admissions:-

1.	The last date for filling online admission forms	30.11.2023
2.	Generating challans of admission forms and online payment of admission fee	30.11.2023
3.	The deposit of printed fee challan of admission form	11.12.2023
4.	Last date for depositing the hard copies of admission forms	15.12.2023.



1.4. There is an important note added to the admission schedule, which reads as under:-

“In case any institute is not able to pay fee in accordance with the schedule than the responsibility will be of the institute and its Principal and the admission of such students will be deemed to be cancelled and they will not be considered.”

1.5. On 08.12.2023, these two writ petitions were filed, however, the writ petitions were not complete. After removal of objections, these writ petitions were re-filed on 12.12.2023, which were listed before the Bench on 14.12.2023. It is the case of the petitioners in both the writ petitions that owing to the technical snag, the Institute could not upload the documents along with fee as required within the prescribed time, though, unique ID number of every student was generated.

1.6. In response, to the writ petitions, short reply has been filed by PNRC while disclosing that there is no provision for relaxation and the Hon'ble Supreme Court in **St. Stephens Hospital College of Nursing vs. Union of India and others, SLP(C) No.10571 of 2022**, observed that the schedule set by Indian Nursing Council has to be strictly adhered to. The PNRC has neither granted any extension nor there was any technical snag. While explaining the process of uploading data on the online portal, it has been stated that the admission portal was opened for the colleges until the last date of admission. In this case, the petitioner-colleges neither uploaded the requisite documents/certificates depicting the eligibility of the students nor pressed the submit button which allowed the college to generate challans. Hence, the admission cell of PNRC has not received any data of



the students from the petitioner-colleges. Generation of challan is of utmost importance, as it ascertains the sanctity of admissions. Till the time the challan is not generated, the sanctity of the admission cannot be ascertained or verified. The Indian Nursing Council has also not been impleaded as a party and the PNRC is not entitled to accept any application form after the cut-off date.

2. **ARGUMENTS PUT FORTH BY THE LEARNED COUNSEL REPRESENTING THE PARTIES:-**

2.1 The petitioner's counsel while drawing the attention of the Court to a printed list of students for admission to ANM and GNM courses submits that before the last date of admission, the unique ID number of each student was generated, however, due to a technical snag; uploading of documents and payment could not be made. He submits that the petitioners in all three colleges should be permitted to upload the documents and deposit fee and submit hard copies thereof to the respondent(s).

2.2. Per contra, PNRC's learned counsel has submitted that the admission cell of PNRC has no information about the students because after generating a unique ID number, all the three colleges did not upload the documents and press the submit button so as to allow generation of challans for payment of fee. He submits that the PNRC has no verifiable information about the admission. He further submits that at this stage, it is possible for the institutes to change the names of the students in absence of online submission of documents and payment of fee to the PNRC. In order to demonstrate the various stages of submission of information of online admission, he produced a photocopy of the process of second stage when the documents are uploaded and submit button is pressed. Thereafter, in the



third stage, in order to pay the fee, challan is generated, which facilitates the institutes to deposit the online payment. The learned counsel also submitted that there was no technical snag; as in the State of Punjab, more than 30,000 students have been admitted by various institutes and the portal was opened from 26.10.2023 till 30.11.2023, without any technical snag or obstruction.

3. **ANALYSIS OF ARGUMENTS AND DISCUSSION:-**

3.1. Having heard the learned counsel representing the parties, this Bench is of the considered view that the petitioner institute does not deserve relief for the following reasons:-

- (1) The sanctity of cut-off date in admission of students is of paramount importance. These two writ petitions have been filed by the Societies on behalf of three colleges with identical reason for failing to upload the information within the prescribed time which is disputed by the respondents. Hence, there is disputed questions of fact involved in the present case.
- (2) On a careful perusal of the list of students produced by the petitioners in both the writ petition, it becomes evident that after generating a unique ID number which is the first stage of the online admission process, the colleges were required to upload the scanned copies of the requisite documents/certificates depicting the eligibility of the candidates. In case of any difficulty in the uploading of requisite documents/certificates depicting eligibility of the candidates, the petitioners would have immediately contacted the PNRC as an efficacious remedy. It is not the case of the petitioners that they informed PNRC or made any representation in this regard. As per the learned counsel representing the PNRC, more than 30,000 students are admitted every



year and there was no complaint of technical snag from the majority of institutes.

(3) The petitioners in both the writ petitions, except producing a printed copy of creation of unique ID number along with the name and parentage of students, have neither produced the relevant documents of the students in the Court nor submitted to PNRC within the prescribed time. The date on which this list was generated is also not clear.

3.2. The arguments of the learned counsel representing the petitioner-colleges lack substance because admittedly all the three colleges neither uploaded the documents nor paid online fee after uploading the documents. In absence of material on record, it is not possible to come to a conclusion that failure on the part of the petitioner was due to any technical snag or difficulty.

4. **DECISION:-**

- 4.1. For the reasons noted above, there is no ground to interfere.
- 4.2. Dismissed.
- 4.3. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

(SHEEL NAGU)
CHIEF JUSTICE

22nd August, 2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No