

G. Meena Vs. Controller of Examinations, Osmania University, Hyd. and Another

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Court : Andhra Pradesh

Decided On : Sep-17-1999

Reported in : 2000(1)ALD198; 1996(6)ALT337

Judge : B.S.A. Swamy, J.

Appeal No. : WP No. 18285 of 1999

Appellant : G. Meena

Respondent : Controller of Examinations, Osmania University, Hyd. and Another

Advocate for Def. : Mr. K. Ramakanth Reddy, Adv.

Advocate for Pet/Ap. : Mr. T. Pulla Rao, Adv.

Judgement :

ORDER

1. The petitioner, B.Sc., III Year student studying in respondent-University, filed this writ petition questioning the in action on the part of the respondent-University in not communicating the result of the revaluation of her paper for which she paid the required fee.

2. By order dated 27-8-1999 I directed the petitioner to pay Rs.5,000/- by way of Demand Draft in favour of Registrar, Osmania University and also directed the University to produce papers for inspection by the Court. Thereafter, the petitioner received one rubber-stamped post-card 'there is no change in the revaluation results'. The procedure adopted by the University is unknown to law and the same is deprecated by this Court. After production of the papers, this Court having seen that the marks shown in the memorandum of marks are not tallying with the marks that are given to the questions in the answerpapers and having noticed that some of the answers were not awarded marks, by order dated 6-9-1999 directed the Vice-Chancellor to get the papers revalued by another valuation officer and to produce the same before the Court. As per the marks list produced by the University, after revaluation in pursuance of the directions of this Court, it is seen that in Mathematics paper the petitioner got 26 marks i.e., less than 4 marks as per the marks awarded in the answer script and 9 marks as per the memorandum of marks and in Physics paper she was awarded 61 marks i.e., 3 marks more than the marks shown in answer script as well as memorandum of marks.

3. The respondents' Counsel submits that as the University has added 5 grace marks to all the students, the marks of the petitioner were shown as 35 in Maths paper.

4. To my knowledge the question of adding grace marks will arise only in case the student is likely to get through the examination, not otherwise. Hence, the explanation offered by the respondents cannot be believed. At any rate, they have no explanation for the variations in the marks obtained by the petitioner in the Physics -paper after revaluation. In fact, the marks shown in the memorandum of marks are less than the marks awarded in the answer script. When the petitioner paid the requisite fee seeking revaluation, even then, the University authorities did not open their eyes and they sent a stamped post-card stating that there is no change in the revaluation of the results. It shows that all is not well with the conduct of examination by the University. In fact, the petitioner repeatedly made a request to send these papers for revaluation to an outside examiner to find out whether the valuation of the answer scripts of the petitioner is proper or not. If the judgment of the Supreme Court not came in my way, I would have definitely done

this, as the times are passing by, more and more students are approaching this Court saying that the valuation undertaken by the institutions of learning was not on scientific basis and left to the individuals. Whims and fancies of the valuation officers, thereby making the lives of the teenagers miserable. As I am bound by the judgment of the Supreme Court, I am not in a position to accede to the request of the petitioner. However, Vice-Chancellor, Osmania University is directed frame guidelines for valuation of the papers by the examiners, with the aid and advice of the subject-experts, and publish the same to dispel the fears from the minds of the student community. I also direct the Vice-Chancellor to place this judgment before the Executive Council of the University to apprise them on the deficiencies in valuation of the papers of the students. I hope and trust that the Executive Council and the Vice-Chancellor will bestow their attention and see that the apprehensions in the minds of the students are wiped out.

5. The writ petition is accordingly dismissed.

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