



केन्द्रीय माध्यमिक शिक्षा बोर्ड

(मानव संसाधन विकास मंत्रालय, भारत सरकार के अधीन एक स्वायत्त संगठन)

CENTRAL BOARD OF SECONDARY EDUCATION

(An Autonomous Organisation under the Ministry of Human Resource Development, Govt. of India)



COORD/SO(MHRD)/2020

06.8.2020

COMPLIANCE OF THE ORDER OF THE HON'BLE SUPREME COURT OF INDIA DATED 31.7.2020 IN WRIT PETITION NO. 773 OF 2020 BY DECIDING THE REPRESENTATIONS AS RECEIVED BY CBSE FROM PETITIONERS

CBSE has received several representations citing the reference of Order passed by the Hon'ble Supreme Court of India in the Writ Petition (Civil) No.(s) 773/2020 dated 31.7.2020. It has been requested in the representations that because of the COVID-19 pandemic, compartment examination to be conducted by CBSE for Class X & XII for the candidates who have been placed in compartment category as per Examination Bye-laws be cancelled.

Following are the important information on conduct of examinations and Covid-19:-

1. Examinations like University Terminal examinations, JEE(Main), NEET(UG), JEE(Advanced) etc. are to be conducted for the admissions in higher education/professional courses throughout the country.
2. Department of Higher Education, Ministry of Human Resource Development vide DO No. SECY(HE)/MHRD/2020 dated 04th July, 2020 requested Ministry of Home Affairs to accord permission regarding conduct of final term examinations of the Universities/Institutions to be conducted as per UGC guidelines on examinations and academic calendar for the Universities.
3. Ministry of Home Affairs, after examining the request of MHRD and taking into consideration the academic interest of large number of students, vide DO No. 40-3/2020-DM-I(A) dated 06th July, 2020 has granted exemption for opening of the educational institutions for the purpose of holding examination/evaluation work for final term examinations of the Universities/Institutions subject to following the detailed Standard Operating Procedures for the conduct of examinations as communicated to MHA.
4. Vide DO No. 40-3/2020-DM-I(A) dated 20th May, 2020 Home Secretary, Ministry of Home Affairs, Government of India has granted exemption to State Education Boards and CBSE from the lockdown measures to conduct of Board examinations for classes X & XII.
5. Vide Order No. 40-3/2020-DM-I(A) dated 29th July, 2020 MHA has issued guidelines on Unlock 3 also in which a large number of activities have been allowed with due precautions.

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6. CBSE vide affidavit dated 25.6.2020 in the Hon'ble Supreme Court of India has stated that candidates whose result has been declared based on the assessment scheme in the examinations scheduled from 1st July, 2020 to 15th July, 2020 will be allowed to appear in the optional examinations to improve their performance, if they wish so. However, the marks obtained by a candidate in these optional examinations will be treated as final for those who have opted to take these examinations.

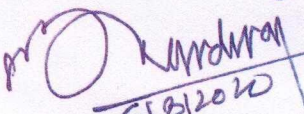
Competent Authority of the CBSE has considered the representations appropriately in view of above said information and is of the opinion that in case the Compartment examination is not conducted, future of large number of candidates will be adversely affected being the Classes X and XII. Accordingly, requests received in the form of representations for not holding the examination cannot be acceded to by the CBSE.

CBSE will hold the Compartment examination by following the detailed Standard Operating Procedures keeping in view the COVID-19 pandemic.

It was also requested that a notification be issued by CBSE declaring that the petitioner and the similarly placed 10th and 12th students can apply to any institution or school for further studies till the compartment examination are either cancelled or suspended. It is clarified that the request is against the Examination Bye-Laws and also does not fall under the ambit of CBSE.

A copy of the decision of the CBSE on the representations is being sent to the Learned Advocates of the Petitioners to communicate to their clients. Also, a copy of the same is being hosted on the website of CBSE for the information of other representations received by the CBSE.

Representations are disposed off accordingly.


(Dr. Sanyam Bhardwaj)
Controller of Examinations

To
The Petitioners through their Advocate