



DELHI TECHNOLOGICAL UNIVERSITY

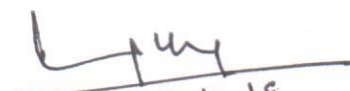
Established by Govt. Of Delhi vide Act 6 of 2009
(Formerly Delhi College of Engineering)
Shahbad Daulatpur, Bawana Road, Delhi - 110042

No.F.1/2-Misc./Estt./DTU/2011-12/Vol.II / 10088

Dated 20.12.2018

OFFICE ORDER

This is with reference to the order dated 09.10.2018 passed by Delhi Minorities Commission, Government of National Capital Territory of Delhi regarding dress code for exams/ tests/ interviews etc. The University has considered and implemented the same. For details, copy of the order dated 09.10.2018 is enclosed herewith.



20.12.18
(Kamal Pathak)
Registrar (I/C)

No.F.1/2-Misc./Estt./DTU/2011-12/Vol.II / 10088

Dated 20.12.2018

Copy to:-

1. PA to Vice Chancellor, for kind information to the Hon'ble Vice Chancellor.
2. PA to Pro Vice-Chancellor (I), for Kind information to the Pro Vice Chancellor.
3. PA to Pro Vice-Chancellor (II), for Kind information to the Pro Vice Chancellor.
4. PA to Registrar.
5. Dr. Zafarul - Islam Khan, Chairman, Delhi Minorities Commission, Government of National Capital Territory of Delhi, C - Block, 1st floor, Vikas Bhawan, New Delhi - 110002.
6. All Deans.
7. All HoDs and all Branch in-charges.
8. Librarian.
9. OSD - East Delhi Campus.
10. Head, Computer Centre to upload the same on University website.
11. Guard file.


(Dr.R. Kaushik)
Dy. Registrar (Estt.)



दिल्ली थॉट गिह्टडी वभिमत
दिल्ली अल्पसंख्यक आयोग

دہلی اقلیتی کمیشن

DELHI MINORITIES COMMISSION

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
C-BLOCK, 1st FLOOR, VIKAS BHAWAN, NEW DELHI-110002

Phone : 23370824

E-mail : dmc_nct@rediffmail.com

Website : www.dmc.delhigovt.nic.in

File: PA/Chairman/DMC/1233

Date: 9 October, 2018

Order regarding dress code for exams/tests/interviews etc.

The Commission has come across several complaints from Muslim and Sikh minorities about their persecution on the pretext of security and frisking, so much so that affected persons are at times seriously harmed and prevented from attending an examination or test or interview or catching a train when so-called security requirements are used without considering the victims' religious beliefs.

While security precautions are very much required but the same should not be used to harm the interests of minority individuals, especially students. The Commission has considered this matter and has decided the following:

1. Where certain security arrangements and frisking are required, candidates must be clearly informed in advance that they have to present themselves at the frisking point say half an hour before the normal reporting time.
2. The frisking staff is fully within its rights to check *hijab* (scarf) of Muslim women and allow them in after making sure that security requirements have been met. Muslim women cannot be denied their religious duty to observe *hijab* (wearing scarf). They must also be allowed to wear full sleeve shirts which the security staff can frisk. This is based on the Kerala High Court order dated 21 July, 2015 in the case W.P. (C) Nos. 21696 of 2015 – J & 21905 of 2015 – K (*copy attached*) where both *hijab* and long sleeves have been allowed for Muslim women with the provision that they should be subjected to frisking by staff of the same sex. Judgements of any High Court are applicable all over the country.
3. Sikhs are allowed to wear *kirpans* of reasonable length as the Indian Constitution's Art. 25 allows Sikhs to wear *kirpans*.
4. All government departments, especially educational institutions, are directed to meticulously observe this order. Failure to do so will attract legal action by the Commission.


Dr Zafarul-Islam Khan

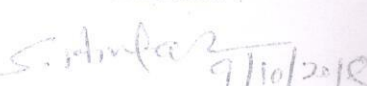
Chairman


Kartar Singh Kochhar

Member


Anastasia Gill

Member


Secretary, DMC

Copies to all concerned departments



K. VINOD CHANDRAN, J.

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W.P.(C) Nos.21696 of 2015 - J. .

& 21905 of 2015 - K

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Dated this the 21st day of July, 2015

J U D G M E N T

The writ petitions are filed by two female students belonging to Muslim community contending that the dress code prescribed by the Central Board of Secondary Education (C.B.S.E) of wearing half sleeve kurta/salvar would prejudice them, insofar as their religious custom mandate them to wear a head scarf and also full sleeve dresses.

2. The learned Standing Counsel for the C.B.S.E had taken notice and on instruction submits before this Court that the dress code has been specified by the C.B.S.E not with the intention of harassing any student and on the contrary it is to ensure that no untoward incident as in the earlier examination, which led to the cancellation by the Hon'ble Supreme Court; is

repeated. The learned Standing Counsel also places before me the decision of the Hon'ble Supreme Court, from which relevant extracts are pointed out, to indicate the ingenuous methods by which copying was resorted to by means of electronic gadgets, wired to the body itself, and camouflaged by full sleeve dress and so on and so forth.

3. Only two students have come up before this Court and going by the submissions made by the learned Standing Counsel, the dress code as such cannot at all be said to be wrong or improper especially considering the judgment of the Hon'ble Supreme court and the cause detailed therein for cancellation of the earlier examination. It is also to be noticed that the dress code has been insisted on, only from the earlier experience and to ensure that no such incident is repeated in the course of the present examination. The practice of resorting to external aid, by whatever means, to better the performance in the examination, prejudices particularly and primarily the students and definitely

the Board also who has responsibility of conduct of such examinations.

4. However, it cannot be ignored that in our country with its varied and diverse religions and customs, it cannot be insisted that a particular dress code be followed failing which a student would be prohibited from sitting for the examinations. This Court is of the opinion that no blanket orders are required in the writ petitions filed by two students, apprehending that they would be prohibited in writing the examination for reason of their wearing a dress conducive to their religious customs and beliefs.

5. In such circumstance, there shall be a direction that at the two centres indicated in the writ petitions, the Invigilator along with a woman Invigilator or another authorised officer shall be present half an hour before the examination commences. The petitioners who intend to wear a dress according to their religious custom, but contrary to the dress

code, shall present themselves before the Invigilator half an hour before the examination and on any suspicion expressed by the Invigilator, shall also subject themselves to any acceptable mode of personal examination as decided by the Invigilator, but however carried on only by an authorised person of the same sex. If the Invigilator requires the head scarf or the full sleeve garments to be removed and examined, then the petitioners shall also subject themselves to that, by the authorised person. It is also desirable that the C.B.S.E issue general instructions to its Invigilators to ensure that religions sentiments be not hurt and at the same time discipline be not compromised.

With the above direction, the writ petitions would stand disposed of.

Sd/-
K. VINOD CHANDRAN,
JUDGE