

To Justice NN Mathur
Vice Chancellor
NLU Jodhpur

Dear Justice Mathur:

I hope this finds you well. Thank you very much for offering me a patient hearing to discuss the issues faced by the differently-abled candidates who appear for the CLAT exam each year.

We write this request, as Mr Yugal Jain, a visually impaired candidate appearing for CLAT this year, was informed by the CLAT help desk that he would not be permitted to bring his own scribe. His email request and response are attached herewith as **Annexure A**.

Given your sensitivity to this issue, we request you to urgently adopt a policy that is more disability friendly. We wish to bring to your attention the fact that several institutions permit the visually impaired candidates to bring their own scribes. Further, courts have in the past clearly recognized the right of visually impaired candidates to bring their own scribes, provided the educational qualification of the scribe is at least one level lower than the candidate. In pertinent part, the Bombay High Court *vide* order dated December 18, 2006 in Public Interest Litigation No. 129 of 2003 laid down elaborate 'Guidelines for Appointment and Availing Facility of Scribe'. We extract the relevant portions below:

1. The Scribe/writer should either be provided by the examining authority or be arranged by the candidate himself/herself at the **discretion of the candidate**.
2. Any attempt at cheating can be curbed by ensuring proper supervision and vigilance, by the invigilators.
3. Considering the practical problems, it is necessary that if the scribe is provided by the examination conducting authorities, such authorities must ensure the competence of the scribe/writer.
4. It is desirable that the candidate and the scribe are from the same stream.
5. In case the candidate avails the services of his/her own scribe/writer, the scribe/writer should be one grade junior in academic qualification than the candidate if from the same stream. However, this condition shall not apply if the scribe/writer is from a different stream.
6. No other restriction should be imposed on the selection of a scribe/writer.

Please also note that the general norm (followed by leading educational boards and institutions such as CBSE) is that 20 minutes extra is provided for each hour of the exam so as to facilitate effective exam

taking by disabled using scribes. Based on this, may we request that disabled candidates be provided 40 minutes extra for the CLAT exam.

We also wish to bring to your notice the recent government notification regarding provision of computer facilities to disabled candidates. The UGC dated January 2006 directed all universities to extend computer facilities to disabled candidates who wished to write the exam directly on a computer, pursuant to a request from the Chief Commissioner of the Office of Persons with Disabilities. The UGC notification and the letter of the Commissioner are annexed herewith as **Annexure B**.

We attach a small note as **Annexure C** outlining the law in this regard and the various institutional policies that we have been able to lay our hands on.

Although we are aware that you are already familiar with all of this and highly sensitive to this issue, we are including it only by way of abundant caution.

Based on the above note and after having studied the various policies around scribes for examinations, we have taken the liberty of crafting a draft policy in this regard for CLAT. We attach it with this letter (**as Annexure D**) and do hope that you can adopt something along these lines.

Given that we are now short of time in the run up to the CLAT exam, and disabled candidates need adequate time to either pick their own scribes or notify you that they would rather have you arrange scribes for them, may we please request that this policy be announced at the earliest?

Thanking you very much, I remain,

Most sincerely yours,

Shamnad

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"Truth is neither absolute nor relative. It is merely relational" ~Maash