

GAHC010066492024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1807/2024

PROF(DR) PRANJAL SARMA
SON OF LATE KARTIK CHANDRA SARMA, PROFESSOR IN SOCIOLOGY,
DEPARTMENT OF SOCIOLOGY, DIBRUGARH UNIVERSITY, ASSAM.
RESIDENT OF HOUSE NO 101, SEUJ PATH, UDAIPUR, NEAR SACRED
HEART SCHOOL, CHOWKIDINGEE, DIBRUGARH, DISTRICT- DIBRUGARH,
ASSAM, PIN- 786001

VERSUS

THE DIBRUGARH UNIVERSITY AND 4 ORS
DIBRUGARH, ASSAM REPRESENTED BY ITS REGISTRAR, DIBRUGARH
UNIVERSITY

2:REGISTRAR
DIBRUGARH UNIVERSITY DIBRUGARH
ASSAM
PIN- 786004

3:INTERNAL COMMITTEE
DIBRUGARH UNIVERSITY
DIBRUGARH
ASSAM
PIN- 786004 REPRESENTED BY ITS PRESIDING OFFICER

4:PRESIDING OFFICER
INTERNAL COMMITTEE
DIBRUGARH UNIVERSITY
DIBRUGARH
ASSAM
PIN- 786004

5:SRI INDRESWAR PATIR

PH D SCHOLAR
DEPARTMENT OF SOCIOLOGY
DIBRUGARH UNIVERSITY
DISTRICT- DIBRUGARH
ASSAM
PIN- 78600

Advocate for the Petitioner : MR. T J MAHANTA

Advocate for the Respondent : SC, DIB. UNIVERSITY

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 09.04.2024

Heard Mr. T. J. Mahanta, learned counsel for the petitioner. Also heard Mr. R. Majumdar, learned Standing Counsel for the Dibrugarh University.

Mr. Majumdar, learned Standing Counsel by referring to the provisions of the University Grants Commission (Prevention, Prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulation, 2015 (In short Regulation of 2015) submits that the said Regulation unlike the provisions of the Act of 2013 is not limited to the women employees, but is also applicable of students and insofar as the definition of 'Students' is given in the Regulation of 2015, the same is gender neutral.

Accordingly, in the present case, the issue being the perpetuation of such an act upon the student pursuing a course in the University herein, the ICC, DU as constituted under the Regulation of 2015 would have the power to make an enquiry and an enquiry therein cannot be said to have been held

without jurisdiction.

The above issue would require a detailed hearing. Accordingly, list this matter again on 07.05.2024.

Interim order passed earlier shall continue till the next date of listing.

JUDGE

Comparing Assistant