

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

IA No.....OF 2009 IN CIVIL APPEAL NO(s). 887 OF 2009

UNIVERSITY OF KERALA

Appellant (s)

VERSUS

COUNCIL, PRINCIPALS', COLLEGES, KERALA & ORS

Respondent(s)

Date: 16/03/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

Mentioned by: Mr. Gopal Subramaniam, ASG.(A.C.)
Mr. Abhishek Tewari, Adv.

For Aman Kachroo Mr. Bimal Roy Jad. Adv.

UPON being mentioned by counsel the Court made the following
ORDER

The application is taken on Board.

Learned Amicus Curiae has brought to our notice several instances of ragging in educational institutions - one in a case from Himachal Pradesh where a student has lost his life as a result of ragging and the other is a case where a student in Andhra Pradesh is battling for life. It appears that in the concerned States directions issued by this Court by orders dated 16/5/2007 and 11/2/2009 have not been taken seriously by the Authorities. This according to us, prima facie, amounts to contempt of this Court's orders and serious note of the deficiencies needs to be taken. Under the circumstances we direct as follows:

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(1) The State of Himachal Pradesh, through the Chief Secretary, Government of Himachal Pradesh, Shimla, shall file an affidavit indicating as to what steps have been taken to comply with the directions given by this Court by orders dated 16/5/2007 and 11/2/2009. Similar notice be issued to the State of Andhra Pradesh, represented by the Chief Secretary of the State, to file an affidavit as in the case of Himachal Pradesh.

(2) The Registrar, Dr. Rajendra Prasad Government Medical College Kangra, Himachal Pradesh, is directed to file an affidavit indicating as to what steps have been taken in the matter after it was brought to the notice of the college authorities about the ragging of student(s). Similarly, the Registrar, Government Agriculture Engineering College, Bapatla, Guntur, Andhra Pradesh, shall file an affidavit in the line directed in the case of Registrar, Dr. Rajendra Prasad Government Medical College. The Principal and the Registrar of Dr. Rajendra Prasad Government Medical College, Kangra, Himachal Pradesh, are directed to show cause as to why contempt proceedings shall not be initiated against them for non-compliance with the directions given by this Court by orders dated 16/5/2007 and 11/2/2009 in SLP(C) No. 24295/2004 (presently C.A.No. 887/2009).

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(3) The Medical Council of India is directed to enquire into the matter relating to the death of a student Aman Satya Kachroo and submit a report to this Court. In the report it shall be clearly stated as to if any Doctor(s) was/were negligent in providing treatment to the aforesaid Aman Satya Kachroo and as to what action has been taken or is proposed

to be taken against the delinquent Doctor(s), if any.

(4) The State of Himachal Pradesh, through the Principal Secretary, also submit a report giving details of the matter relating to the death of aforesaid Aman Satya Kachroo. Similar report shall be filed in respect of the girl student who attempted to commit suicide in Andhra Pradesh, by the said State.

(5) The Director General of Police of State of Himachal Pradesh and Andhra Pradesh shall file affidavits if any criminal action has been initiated against the offenders of ragging and if any investigation has been done up-to-date status report in the cases.

(6) The Department of Health as well as the Education Department of Himachal Pradesh and Andhra Pradesh shall file affidavits indicating as to what action has been taken against the institutions i.e. Dr. Rajendra Prasad Government Medical College, Kangra, Himachal Pradesh and Government Agriculture Engineering College, Bapatla, Guntur, Andhra Pradesh.

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The college authorities shall also indicate in the affidavits to be filed by them as to what actions have been taken against the erring students who were responsible for the death of Aman Satya Kachroo and the plight of the girl student who attempted to commit suicide unable to bear the ragging.

The affidavits and the reports shall be filed within two weeks.

The matter shall be listed on 30/3/2009. Notices be issued forthwith by the Registry and learned Amicus Curiae may also supply copies of the application and copy of the order to the learned counsel appearing for the concerned States.

[SUMAN WADHWA]
COURT MASTER

[INDU SATIJA]
COURT MASTER