

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

IA 12 in Petition(s) for Special Leave to Appeal (Civil) No(s).24295/2004

(From the judgement and order dated 24/06/2004 in WP No. 30845/2003 of
The HIGH COURT OF KERALA AT ERNAKULAM)

UNIVERSITY OF KERALA
VERSUS

Petitioner(s)

COUNCIL, PRINCIPALS', COLLEGES, KERALA & ORS

Respondent(s)

(With appln(s) for direction/impleadment and office report))

With I.A. No.5 in SLP(C) No.24295&24296/04)

(SLP(C) No.24296-24299/2004)

Date: 24/10/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT

HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA

Mr. Gopal Subramaniam, ASG (A.C.)

Mr. Abhishek Tewari, Adv.

Mr. S.N. Terdal, Adv.

For appearing parties

For JNU Students

Mr. Sanjay Parikh, Adv.

Ms. Anitha Shenoy, Adv.

Mr. Jitin Sahni, adv.

Ms. Mamta Saxena, Adv.

Mr. A.N. Singh, Adv.

Mr. Gaurav Tyagi, Adv.

For Registrar,
J.L.N.U.

Mr. H.K. Puri, adv.

Mr. S.K. Puri, adv.

Mr. V.M. Chauhan, Adv.

Ms. Priya Puri, Adv.

For Youth for
equality

Mr. M.L. Lahoty, adv.

Mr. R. Sathish, Adv.

Mr. E.M.S. Anam, Adv.

Mr. Anil K. Jha, Adv.

Mr. K. Rajeev, Adv.

Mr. G. Prakash, Adv.

Mr. T.G.Narayanan Nair, Adv.

Mr. M.P. Vinod, Adv.

...2/-

Mr. Gopal Singh, Adv

Mr. R.C. Kohli, Adv

Mr. K.R. Sasiprabhu, Adv

Mr. Ajit Kumar Sinha, Adv

Mr. M.K. Michael, Adv

Mr. M.K.D. Namboodiri, Adv

Mr. V.G. Pragasam, Adv

MCI & DCI

Mr. Maninder Singh ,Adv
Ms. Prathiba M. Singh, Adv.
Mr. Gaurav Sharma, Adv.
Mr. Sumeet Bhatia, Adv.

Mr. Shivaji M. Jadhav ,Adv

Mr. N. Kotiswar, Advocate General
Mr. Khwairakpam Nobin Singh ,Adv

Mr. Radha Shyam Jena ,Adv

Mr. S. Chandra Shekhar ,Adv

Mr. P.V. Dinesh ,Adv

Mr. Manish Kumar, Adv.
Mr. Ansar Ahmad Chaudhary ,Adv
Mr. Satya Prakash, Adv.
Ms. Promila Matta, Adv.

Mr. T.V. George ,Adv

Mr. Shail Kumar Dwivedi, Adv.

State of Mizoram

Mr. K.N. Madhusoodhanan, Adv.

...3/-

-3-

UPON hearing counsel the Court made the following
ORDER

We had issued notice in this case on 20 th October, 2008 when the learned Amicus Curiae brought to our notice that the elections to the Students Union of Jawaharlal Nehru University are being held contrary to the guidelines given and recommendations made by the Lyngdoh Committee which were accepted by this Court's Order dated 22.9.2006. It was categorically indicated that the recommendations were to be implemented and guidelines followed in respect of elections of all Colleges/Universities until further orders. Since the elections to the Students Union in the Jawaharlal Nehru University are being held apparently contrary to the norms fixed by the Lyngdoh Committee and approved by this Court, there is prima facie contempt of this Court's Order.

Issue notice to the Vice Chancellor and the Registrar of the

Jawaharlal Nehru University to show cause as to why action for contempt shall not be taken against them for acting in violation of this Court's Order dated 22.9.2006.

The elections which are scheduled to be held on 3rd November, 2008 shall remain stayed until further orders.

-4-

...4/-

If fresh elections in line with the recommendations made by the Lyngdoh Committee as approved by this Court are held there shall not be any bar on the same.

The personal presence of the Vice Chancellor and the Registrar is dispensed with for the present.

Learned Amicus Curiae brought to our notice a news item about vandalism of students of Samanta Chandra Sekhar College, Puri in Orissa when the college authorities wanted to implement the Lyngdoh Committee's recommendations in terms of this Court's Order for the College Union Election. We direct the Superintendent of Police, Puri to register criminal cases against all the students who had indulged in such vandalism.

Issue notice to the Vice Chancellor of the Utkal University and Principal of the Samanta Chandra Sekhar College, Puri to indicate as to what steps have been taken against the students who indulged in such vandalism including steps for their expulsion from the College.

-5-

...5/-

The matter shall be listed on 8th December, 2008.

All the connected matters shall also be listed on 8th December, 2008.

(Sukhbir Paul Kaur)
Court Master

(Shashi Bala Vij)
Court Master