

20.01.2023
Court No.13
Item No.104
AP

WPA 23497 of 2022

**Salim Ahmed and Anr.
Vs.
State of West Bengal & Ors.**

Mr. Ranajit Chatterjee
Mr. A. Biswas
Mr. Prosenjit De
Mr. N.S. Ghosh
Mr. Aniruddha Mitra
Ms. Sampurna Chatterjee

... For the Petitioners.

Mr. Anindya Kumar Mitra, Senior Advocate
Mr. R.N. Majumder
Mr. S.M. Obaidullah

... For the IIT.

The Director, IIT, Kharagpur is personally present in Court.

This Court has indicated that the instant writ petition may not seriously adversarial. This Court is concerned about the wellbeing of the students seeking special high level scientific and technical education in this country.

IIT, Kharagpur is a premier institute in the country imparting education in, inter alia, technology and science. A large number of students with superior intellectual abilities, from different economic and social backgrounds and have different emotional quotients come here. In most cases they may not at all able to freely interact and mix with students coming from other backgrounds. This has impacted their behavioural patterns, sometimes restricting free expression and interaction. The incidence of any form

of 'ragging' makes things only worse for such students. It can scar the victim students psychologically for varying periods of time. In some cases it remains for long years in the psyche of the student and in some others permanently.

This can have devastating effect on the present and future, personal and working, lives of the students. The intellectual growth, well-being and development of society and the nation can be therefore be adversely impacted as a consequence of this menace called "Ragging".

The Director, IIT, Kharagpur ought to have been aware of the above.

Mr. Anindya Kumar Mitra, learned Senior Counsel, for the IIT, indicates that all issues and lacuna in the earlier report have been addressed in a new report. A fact-finding committee has conducted an inquiry. The scope of inquiry is not only confined to the incident in question but also aims at ascertaining whether rules and regulations of the IIT are in harmony with the guidelines of the Supreme Court in the decisions mentioned in the orders passed by this Court earlier.

A copy of the report has been served on Mr. Ranajit Chatterjee, learned counsel for the petitioner. Mr. Chatterjee shall take exception to the report and indicate any other deficiencies as expeditiously as possible and communicate the same to the Director, IIT, Kharagpur through its learned advocate on record.

It is submitted that a meeting of the Board of Governors of the IIT has been fixed on 10th February, 2023.

It is expected that stern stringent and deterrent measures shall be taken by the IIT, Kharagpur in respect of this incident and also to prevent recurrence of such incidents in future.

Appropriate counseling, sessions, starting at the ground level, shall be ensured and put in place by the Director, IIT, Kharagpur. The Director shall be personally responsible for implementing the aforesaid.

This Court requests the learned Advocate General of the State to assist in the instant matter. Learned counsel for the petitioner and the IIT, Kharagpur shall supply all the pleadings and reports and orders in the matter to the learned Advocate General by Tuesday (24.01.2023).

Let the matter also be listed on 6th February, 2023 as “Specially Fixed” to ascertain the status of the investigation by the State Police. On the adjourned date the case diary shall be produced and this Court shall be apprised either in the form of a report in writing or orally as to the status of the investigation.

The compliance of the aforesaid directions by the IIT kharagpur shall be considered on 13th February, 2023 when the matter is again listed.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)