

10-11-2022

ct no. 13

Sl.2

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**WPA 23497 of 2022**

Salim Ahmed & Anr.

**-Versus-**

The State of West Bengal & Ors.

Mr. Ranajit Chatterjee,  
Mr. Atis Kumar Biswas,  
Mr. Niladri Sekhar Ghosh,  
Mr. Aniruddha Mitra,  
Ms. Sampurna Chatterjee,  
Mr. Sourav Mondal

....for the petitioners

Mr. Amitesh Banerjee, Id. Sr. St. Counsel,  
Ms. Ipsita Banerjee,  
Ms. Piyali Sengupta

...for the State

Mr. R.N. Majumder,  
Mr. S.M. Obaidullah

...for the IIT

The Additional Superintendent of Police,  
Paschim Medinipur and the Inspector-in-Charge,  
Kharagpur (Town) Police Station, are present in  
Court.

A detailed interim report has been  
submitted before this Court.

Counsel for the petitioners and his team of  
advocates may go through the report with care and  
caution and may even take copies on their mobile  
phones. They are specifically directed not to  
disclose the report to any other person including

their clients. This may have serious repercussions on the investigation.

The writ petitioners have filed a supplementary affidavit. Copies whereof have been circulated. An email annexed to the supplementary affidavit dated February 4, 2022, appears to have been addressed by a team of RPH wardens to the students of IIT Kharagpur. There is mention of serious complaints from Second Year Under-Graduate students of being physically and mentally harassed by a group of seniors.

This is corroborated by a communication addressed by one Professor Saswata Chakraborty, Dated November 9, 2022, addressed to the Inspector-in-Charge, Kharagpur (Town) Police Station.

This Court is interested to know as to what steps have been taken by the said wardens and the Management of the IIT, Kharagpur after receipt of information of what appears to this Court to be a clear case of “ragging”.

The ‘warning’ issued to the students involved in ragging does not appear to be in consonance or in compliance with the directions of the Hon’ble Supreme Court in the following cases, (1) ***Vishwa Jagriti Mission through the President Vs. Central Govt. through Cabinet Secretary and***

*others* reported in **(2001) 6 SCC 577**, (2) ***University of Kerala Vs. Council of Principals' of Colleges in Kerala and others*** reported in **(2009) 7 SCC 726** and (3) ***University of Kerala Vs. Council of Principals' of Colleges in Kerala and others*** reported in **(2009) 15 SCC 301**.

The Director of IIT Kharagpur, shall file a report before this Court on the adjourned date in this regard. The students involved in the “ragging” shall be named by the Director in his report.

It is submitted on behalf of the Additional Superintendent of Police, Paschim Medinipur that the investigation is on and the FSL report and some other materials are awaited.

The Additional Superintendent of Police, Paschim Medinipur is requested to leave no stone unturned and explore all and every avenues to ascertain the truth behind the death of Faizan Ahmed.

The Director, FSL, Kolkata shall ensure that the report in respect of the viscera of Faizan Ahmed, is supplied to the Additional S.P., immediately, but not later than **Monday (14.11.2022)**.

The parties may communicate this order to the Director, FSL, Kolkata.

A further report as regards the progress of investigation may be submitted on the adjourned date by the police.

The parties may take steps to ascertain the veracity of the original post that has been annexed at page 46 to 54 of the writ petition, which appears to have been clearly deleted after the hearing of this matter was conducted on November 3, 2022.

As regards the Facebook post #1198 on the FB Page entitled 'IIT KGP Confessions', it is submitted by the counsel for the State that Facebook authorities have been contacted to retrieve the said page. It is expected that the Facebook authorities would extend full cooperation in investigation.

Let this matter stand adjourned and be listed on **November 22, 2022** for further consideration.

The IIT authorities shall extend all cooperation with the police in this regard.

Let the report filed by the police be sealed by and retained with the records, of this case.

List the matter accordingly.

**(Rajasekhar Mantha, J.)**