

**BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION,
THIRUVANANTHAPURAM**

**Present: Mr.Justice N.Dhinakar,
Hon'ble Chairperson**

Dated this the 3rd August, 2010.

H.R.M.P.No.223 of 2009

Petitioner : K. Vijayakumar, Thanima,
Puthukulangara.P.O,
Nedumangad.

Respondent :

ORDER

The petitioner is the parent of a student in the Fine Arts College, Thiruvananthapuram and his complaint is that at the Fine Arts College ragging of students is going on and blue film mafias are creating problems. According to him, though the Principal of the College was asked by the Parent Teachers Association (PTA) to convene a meeting and discuss the issues the Principal behaved rudely and the son of the PTA President was sent out of the college. It is his further complaint that the Principal readmitted the students who were suspended from the college and that the Principal neither complained to the Police about the ragging nor conducted an enquiry through the anti-ragging squad which is creating suspicion.

A report was called for from the Secretary to Government, Higher Education Department, Thiruvananthapuram, and in his letter dated 18-2-2009 he has stated that in this regard the Government have appointed the Joint Secretary of the Higher Education as an enquiry officer and also an Under Secretary to assist him vide GO (Rt) No.171/09/HEdn dated 7-2-2009 and the Secretary requested for

time to submit the report. Thereafter vide letter dated 15-12-2009 the Secretary to Government again asked for time to file the report and later he filed a report dated 11-6-2010 to this Commission. In the report it is stated that the petitioner, joining with some teachers of the College, also filed several petitions before several authorities, in addition to this Commission, against the Principal of Fine Arts College and the Government have earlier conducted an enquiry on his complaint. According to the report, during the said enquiry the petitioner and the Principal of the college were questioned. According to the report, the Principal has stated that an enquiry was conducted about the ragging as per the guidelines issued by the Supreme Court and the Universities and that though the alleged victims and the accused were questioned nobody was willing to give any evidence and that without evidence he cannot take any action. In the report it is further stated that the Principal has stated that he has already informed the concerned officers to comply with the directions of 'Raqhavan Committee'.

In the report it is also stated that though the petitioner stuck to his averments made in the complaint he did not produce any material to prove the said allegation and that he also stated that nobody ragged his son or his son ragged anybody. The report concluded by stating that though an enquiry was conducted on noticing the reports in the media about the ragging in the college no action was taken due to lack of any evidence.

The prayer of the petitioner is for an enquiry on the allegation of ragging in the Fine Arts College. The above report shows that an enquiry was in fact conducted after notice was issued by this Commission in the above HRMP by the

Joint Secretary, Higher Education Department, Thiruvananthapuram, who was assisted by an Under Secretary after the Government appointed the Joint Secretary as the enquiry officer vide GO (Rt)171/09/ HEdn dated 7-2-2009. The findings of the enquiry officer were also submitted to the Government and all the findings are mentioned in the report which are extracted above.

In view of the above report no further orders are required on this petition except to state that the concerned authorities will be vigilant to see that in no institution a student is ragged and also to strictly comply with all the recommendations of 'Raghavan Committee' and keeping in mind the judgment of the Supreme Court in Vishwa Jagriti Mission through President V. Central Government through Cabinet Secretary & Others (AIR 2001 SC 2793) and also the judgment of the Supreme Court in Civil Appeal No.887/2009 (Arising out of SLP (C) 24295/2004) in the University of Kerala Vs. The Council of Principals of College in Kerala and Others.

The petition is accordingly closed.

Justice N. Dhinakar,
Chairperson.