
(2016) 12 JH CK 0038
In the Jharkhand High Court
Case No : W.P.(C) No. 6772 of 2016

National Student Union of India

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 08-12-2016

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2017) 1 AIRJharR 263

Hon'ble Judges : Mr. Aparesh Kumar Singh, J.

Bench : Single Bench

Final Decision : Disposed Off

Judgement

Mr. Aparesh Kumar Singh, J. - The elections of the Ranchi University are under way. The instant writ petition has also been filed in respect thereof with certain grievances. This Court taking note of the newspaper report published in daily newspaper i.e. Prabhat Khabar about serious disturbances being created in the conduct of the election during the last few days including today, considered it proper that University Officials and the District Administration ensure that the election would be conducted in a free, fair and peaceful manner.

2. In that regard, the Vice Chancellor of the Ranchi University, Mr. Ramesh Pandey along with other University Officials, the Deputy Commissioner, Ranchi, Mr. Manoj Kumar, the Senior Superintendent of Police, Mr. Kuldeep Dwivedi have appeared today on being asked to assist the Court in the matter. Upon deliberation on the subject, the University Officials have assured that proper arrangement with details would be worked out today itself with the assistance and help of the Officials/Employees of respective colleges / Departments where elections are scheduled to be held tomorrow to ensure that elections are held in free and orderly manner.

3. It is submitted on their part that they are regularly in touch with the District Administration of the concerned Districts i.e. Ranchi, Gumla, Simdega, Lohardaga

and Khunti where constituent Colleges or B.Ed. college of the Ranchi University are situated in which the elections are going to be held tomorrow in the first phase. The District Administration has also assured them full cooperation and help. It is also stated on their behalf that conduct of the election would be video graphed except inside the polling booth. Adequate arrangement would be made at the entry point of the campus as well as polling booth inside the college to ensure that only genuine voters, candidates and their authorised agents are permitted to enter into the campus during the process of election. Strict checking would be carried out before entering into the campus of the Colleges. They would also issue press note of the arrangement made. Public Address System would also be deployed in the Colleges to ensure that crowd behaviour is controlled.

4. On behalf of the District Administration of Ranchi, the Deputy Commissioner, Mr. Manoj Kumar and the Senior Superintendent of Police, Mr. Kuldeep Dwivedi have also submitted that they are in constant touch with the University Officials. As a matter of fact, a meeting is scheduled today also to work out necessary details. They have assured full support by deployment of Police Personnel and Executive Magistrate in and around the respective College Campus/University to ensure free, fair and peaceful conduct of elections.

5. Learned counsel for the Respondent-State submits that the District Administration of other Districts of Lohardaga, Gumla, Simdega and Khunti would also be communicated forthwith to provide all necessary support and assistance to the Principal / Returning Officer of the respective Colleges.

6. Learned counsel for the Ranchi University, Mr. Anoop Kr. Mehta also submits that in order to ensure that there is complete fairness and impartiality in the conduct of elections, the guidelines as recommended by the Lyngdoh Committee and approved by the Hon''ble Supreme Court in the judgment dated 22.9.2005 in S.L.P. (Civil)No. 24296-24299/2004 shall also be observed by the University. A Dispute Redressal Mechanism as laid down in the said guidelines is already in place as also enshrined in the Ranchi University Statute to take care of the complaints.

7. This Court intends to make it clear that all efforts should be made to ensure that elections of the Students' Union under the Ranchi University and its respective constituent Colleges is done in an orderly and peaceful manner. Let the instant matter appear on 15th December, 2016 when the report in that regard would be submitted by the Ranchi University.