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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1896/2017 and CM APPL. Nos. 8397/2017, 12843/2017, 12844/2017 & 13833/2017**

JAWAHARLAL NEHRU UNIVERSITY Petitioner
Through Ms Monika Arora, Legal Counsel
JNU with Mr Harsh Ahuja, Mr
Kushal Kumar, Mr Promod Kumar,
Registrar JNU and Mr Yashwant
OSD JNU.

versus

COMMISSIONER OF POLICE & ORS Respondents
Through: Mr Gautam Narayan, ASC and Mr R.
A. Iyer, Advocate for R-1.
Mr Ishwar Singh, DCP/South, Mr
K.P. Kukrety, ACP Vasant Vihar,
Inspector Gagan Bhaskar, SHO/PS
Vasant Kunj, North and SI Manish
Kumar, Vasant Kunj, North.
Mr Trideep Pais, Advocate for
Students Union.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **09.08.2017**

1. The petitioner has filed the present petition, *inter alia*, praying that respondent no.1 be directed to remove the protesting students inside and outside the Administrative Block so that the functioning of the university can be restored.
2. It is the petitioner's case that the protesting students have made it impossible for the administrative authorities to function as the Administrative Block has been repeatedly cordoned off by protestors.

3. Permitting the police authorities to enter the University Campus is not an action that should be readily resorted to and insofar as possible, the presence of police on the campus must be avoided. However, this cannot be done at the cost of maintaining order in the University.

4. It is important for the students to have an environment in which they can freely exchange their thoughts, give vent to their feelings and express themselves unreservedly, including entering their protest. The spirit of the students must be nurtured and not curtailed. However, it is also necessary to ensure that the functioning of the petitioner university does not come to a standstill. And, the university cannot be permitted to be reduced to a battle ground between the authorities and the students.

5. Considering the present situation, it is directed that no protest of any sort shall be undertaken by the students within 100 meters radius of the Administrative Block. The University authorities shall earmark an area where the students can congregate freely to protest.

6. Ms Monika Arora, learned counsel appearing for the petitioner has drawn the attention of this Court to a map of the university campus (Annexure P-5) which indicates that on the left hand top of the site, there is an open area, which this Court is informed is known as Sabarmati Lawns. The said area would be open for the students to congregate without any unwarranted interference from the authorities. As long as the protest or congregation is peaceful, there will be no occasion for the authorities to invite the police authorities on the campus.

7. In order to ensure that the above directions are carried out, the

petitioner is permitted to put CCTV cameras in the front of the Administrative Block, which shall have the clear view of the parking in front as well as Administrative Block. CCTVs may also be put on the main gates of the campus. However, at this stage, the petitioner would avoid putting CCTV cameras in other areas which may be considered by the students as an intrusion on their privacy and free movement as that may vitiate the environment of the University.

8. Needless to state that in the event, the aforesaid orders are not complied with, the petitioner would be at liberty to request the police authorities for assistance to maintain law and order in the campus. The police authorities shall act only on the evidence of obstruction to ingress/ egress to the Administrative Building, being provided by the Authorities, which may be in the form of CCTV footage.

9. No further orders are required to be passed in these proceedings at this stage. The petition and the pending applications are, accordingly, disposed of with liberty to the parties to apply in the event any further orders are required.

AUGUST 09, 2017
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VIBHU BAKHRU, J