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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 13293/2023**

COURT ON ITS OWN MOTION

..... Petitioner

Through:

versus

GOVT OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mr. Santosh Kr. Tripathi, SC (Civil)
and Ms. Nandita Rao, ASC,
Advocates for GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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09.10.2023

1. A newspaper article titled “Harassment at college fests leaves students anguished, shaken”, published in the Indian Express on 09th October, 2023, brings to the fore the lapses in security measures employed for annual college festivals organized by universities across the State, resulting in injuries, violations, and trauma for students attending such festivals. The aforesaid newspaper report notes that during the Rendezvous festival, organized by Indian Institute of Technology, Delhi [“IIT-D”] on 06th October, 2023, a group of students enrolled in Bharati College, University of Delhi, who had been invited to participate in a fashion show event, spotted an individual secretly filming them while they were changing costumes in a washroom. Upon reviewing the CCTV footage, the individual was identified



to be a part of IIT-D's housekeeping staff. This episode has left the victims distraught, and has understandably raised concerns regarding misuse of the videos, including their circulation on various social media platforms.

2. Unfortunately, this Court has been confronted with several cases of student harassment, highlighting serious lapses at the concerned university's level in the design and implementation of security measures at college festivals. On an earlier occasion, in W.P.(CRL) 480/2020 titled *Manohar Lal Sharma v. Central Bureau of Investigation and Ors.*,¹ the Court had stressed on the need for active collaboration between the university and Police to bolster security measures during college festivals. These recurrent instances shed light on the lackadaisical approach of authorities organizing such festivals in envisaging and enforcing protective mechanisms, aimed at ensuring safety of students participating or attending the event. In our opinion, it is imperative that adequate security measures are put in place, allowing the students to attend such events without any impending fear of experiencing such acts of violation. Thus, in view of the afore-noted episode, this Court deems it appropriate to take *suo motu* cognizance of the issue of security breaches, particularly in respect of female attendees, at the festivals organized by colleges/ universities in Delhi-NCR.

3. Mr. Santosh Kumar Tripathi and Ms. Nandita Rao, who are present in Court, accept notice on behalf of the Government of NCT of Delhi ["GNCTD"] and Delhi Police. Ms. Rao informs that a case has been registered under Section 354C of the Indian Penal Code, 1860 and the accused is currently in judicial custody. Let notices be also issued to IIT-D,

¹ Order dated 17th August, 2023.



University of Delhi, and Guru Gobind Singh Indraprastha University [*collectively*, “Universities”].

4. Given the gravity and sensitivity of the matter, we are of the opinion that immediate action is required. Therefore, we consider it apposite to issue the following directions:

4.1. The Delhi Police shall, within two weeks from today, file a status report detailing the action taken against the accused associated with the incident at IIT-D on 06th October, 2023.

4.2. The Investigating Officer [“IO”] of the case at hand shall exercise utmost discretion during investigation and ensure anonymity of the women involved. Prompt steps shall be taken to prevent dissemination of photographs clicked / videos recorded by the accused. In the event such media is circulated on any of the social media platforms, the concerned Deputy Commissioner of Police as well as the IO are directed to undertake immediate steps for their take-down, in accordance with law.

4.3. Upon receipt of notice, the Universities shall submit a report indicating their existing policy *qua* security measures during college festivals held at their premises.

5. Re-notify on 10th November, 2023.

SATISH CHANDRA SHARMA, CJ

SANJEEV NARULA, J

OCTOBER 9, 2023

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