

**Case :-** PUBLIC INTEREST LITIGATION (PIL) No. - 584 of 2020

**Petitioner :-** Vijay Kumar Srivastava

**Respondent :-** Union Of India And Another

**Counsel for Petitioner :-** In Person

**Counsel for Respondent :-** A.S.G.I., Ajal Krishna, Vinod Kumar Rai

**Hon'ble Pankaj Mithal, J.**

**Hon'ble Dr. Yogendra Kumar Srivastava, J.**

On the letter of Sri Vijay Kumar Srivastava, Advocate of this Court dated 12.05.2020, this P.I.L. has been registered.

A perusal of the aforesaid letter reveals that unfortunately the son of the petitioner Harshit Srivastava, who was a student of Electrical and Electronics in ABES Engineering College Ghaziabad and living in the College hostel, died in the night intervening 26<sup>th</sup> and 27<sup>th</sup> July, 2016 allegedly due to electric shock from an electric pole situate in the campus. The petitioner in this regard made complaints alleging that the College is not fulfilling the norms as laid down by All India Council for Technical Education and since no action was taken, he submitted his grievance to the office of the Prime Minister. In response whereof, he received a letter dated 06.03.2020 issued by the Under Secretary to the Government of India, Ministry of Human Resource Development, Department of Higher Education Technical. The petitioner submits that he is hurt by the aforesaid letter received from the Government of India, Ministry of Human Resource Development, Department of Higher Education Technical and that it is couched in a most inhuman language, therefore by means of this petition he wants that notices be issued to the Government of India, Ministry of Human Resource Development, Department of Higher

Education Technical, Management of ABES Engineering College Ghaziabad as to why extension of approval of the College may not be cancelled for not fulfilling the norms laid down by the All India Council for Technical Education and for action/warning to the Under Secretary concerned for using inhuman language.

The letter of the Under Secretary dated 6<sup>th</sup> March, 2020 has also been appended by the petitioner along with his supplementary affidavit. We have gone through the said letter and find that the Ministry has expressed grief and pain on the death of the petitioner's son. The matter was examined in consultation with the All India Council for Technical Education and was placed before two member Committee. On the report of the said Committee, a show cause notice was issued to the College concerned and after considering the reply, the Standing Committee passed an order for withdrawal of approval of the College from the year 2018-19. The College preferred an appeal against the same and in view of the documents submitted by the U.P. Power Transmission and Electric Safety and Electric Supply Department that the campus was safe and harmless, the approval of the College was granted for 2019-20. The College submitted an undertaking that the area underneath the High Tension line has been blocked for movement of the students and staff to minimize the exposure of High Tension line until the same is shifted permanently. The deficiencies noticed by the Expert Committee have been removed and a compliance report has also been submitted. It is after noting all the above things that the Under Secretary mentioned that a College cannot be closed permanently on account of any accidental death of a student more particularly where the College is taking regular remedial measures to prevent such accident in future.

In view of the above, we find that the grievance of the petitioner has been examined and that necessary steps have been taken in the matter by the Ministry in consultation with the All India Council for Technical Education.

The letter of the Under Secretary has to be read as a whole and not in piecemeal. The reading of a sentence of the letter out of context from the facts narrated in the letter otherwise may convey a different meaning. A reading of the said letter as a whole would reveal that no inappropriate language has been used which may be said to be offending though we understand the emotions and the sentiments of the petitioner who has lost his son to have felt a little annoyed with the same.

In view of the facts and circumstances of the case, we consider it appropriate to close the matter finally with liberty to the petitioner to take other remedies, if any, open to him in law for the satisfaction of any of his unattended grievances.

The Writ Petition is, accordingly, directed to be consigned to record.

**Order Date :- 29.7.2020**

Pratima