

Case :- CRIMINAL MISC. WRIT PETITION No. - 26085 of 2019

Petitioner :- Mohd. Aman Khan

Respondent :- Union Of India And 4 Others

Counsel for Petitioner :- Maha Prasad

Counsel for Respondent :- A.S.G.I., Alok Ranjan Mishra, G.A., Shashank Shekhar Singh

Hon'ble Govind Mathur, Chief Justice

Hon'ble Samit Gopal, J.

In pursuance of the directions given by this Court on 8th January, 2020, an inquiry has already been conducted by a six members team of National Human Rights Commission. The report submitted by the team has also been accepted by the Commission. A copy of the report along with order of proceedings has been sent to this Court by the Registrar (Law) of the National Human Rights Commission.

The recommendations made by the Commission are as under:-

"Upon consideration of the facts discussed above, the Hon'ble Commission may be recommended to consider the following:-

a) Directing the Chief Secretary Govt. of Uttar Pradesh to provide suitable compensation to the six students who have been grievously injured commensurate with their injuries, on humanitarian grounds.

b) Directing the DGP-Uttar Pradesh to identify the policemen (both district police and PAC), as seen in CCTV footages involved in stray incidents of damaging motorcycles and unnecessarily caning the apprehended students which has no bearing on the task of controlling law and order. A suitable action may also be taken against them as per rules and provisions that exist for subordinate officers in UP Police. The police force should be sensitized and special training modules be carried out to inculcate professionalism in handling such situations.

c) Similar directions as in point (b) above may also be given to the Director General, CRPF for RAF. RAF being a specialized force primarily set up to deal with riots and handle law and order situations, should show utmost professionalism in such crisis situations while at the same time, respecting the human rights of civilians also.

d) Directing DGP of UP, to ensure that the SIT set up vide his order dated 06/01/2020 investigates all the related cases on merits and in a time bound manner. The Hon'ble court may also like to set the time limit and periodic review, if any, for the completion of investigations on time.

e) The DGP UP and Senior Officers are also advised to improve and set up a robust intelligence gathering system. Special steps may be taken to

counter rumour mongering and circulation of disorted and false news especially on the social media. This is to better control such law and order incidents which occur spontaneously and unexpectedly.

f) To direct the AMU-Vice Chancellor, Registrar and other authorities to establish a mechanism of better communication with the students' fraternity so that they are not influenced by outsiders and rusticated unruly students. They should take up all confidence building measures to rebuild the trust of students so that such incidents do not occur in future."

The Chief Secretary, Government of Uttar Pradesh, Director General of Police, Government of Uttar Pradesh, Director General, Central Reserve Police Force, Vice-Chancellor, Aligarh Muslim University and the Registrar, Aligarh Muslim University are directed to adhere with the recommendations made by the Commission at earliest. A report of compliance be presented before this Court on next date of listing.

Let the writ petition be listed on 25th March, 2020.

The report of the Commission along with order of proceedings be kept in sealed cover in safe custody of the Registrar General of this Court and the same be placed before the Court on 25th March, 2020.

Order Date :- 24.2.2020

Bhaskar

(Samit Gopal, J.) (Govind Mathur, C.J.)