

O/P

IN THE HIGH COURT OF DELHI AT NEW DELHI  
EXTRAORDINARY ORIGINAL JURISDICTION  
WRIT PETITION (CIVIL) NO. 7911 OF 2016

IN THE MATTER OF:

AISHWARYA ADHIKARI

...PETITIONER

VERSUS

JAWAHARLAL NEHRU UNIVERSITY

...RESPONDENT

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RESPONDENT

THROUGH:

  
GINNY L RAUTRAY & PARUL KANDOI  
(RAUTRAY & CO.)

ADVOCATES FOR THE RESPONDENT

B3/18 VASANT VIHAR,

NEW DELHI-110057

MOB: 9811287117

NEW DELHI

DATED : \_\_\_\_

P

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JAWAHARLAL NEHRU UNIVERSITY

...RESPONDENT

**SHORT AFFIDAVIT ON BEHALF OF RESPONDENT**

The Respondent is filing a Short Affidavit as per the order of the Hon'ble Court dated 06.09.2016 without adverting to para wise response to the writ petition.

I, Dr. Pramod Kumar, S/o Shri. J.P. Roy, aged about 53 years, Registrar, Jawaharlal Nehru University, New Delhi, do hereby solemnly affirm and declare as follows:-

I am the Registrar I have been authorized to affirm this affidavit on behalf of the Respondent.

I have gone through the papers and records and made myself acquainted with the facts and circumstances of the case. As such I am competent and capable to affirm this affidavit.

It is stated as under:-

1. On 09.02.2016, the Respondent at 12PM got to know that some students are planning to host an “anti-national event” in the evening at Sabarmati Dhaba. The posters had the following title “Against the Brahmanical Collective Conscience”; Against the judicial killing of Afzal Guru and Maqbool Bhat. There were slogans on Afzal Guru “*Afzal Tumhare Armanonko hum manziltak pahunchayenge*”. A letter was written by the Joint Sec of JNUSU to the Chief Proctor Officer and the Dean of JNU on the same day i.e. 09.02.2016 regarding the anti-national activities and anti-constitutional slogan in the Respondent’s campus. A Copy of the letter dated 09.02.2016 to Chief Proctor is hereby annexed and marked as **Annexure-A**. Thereafter, a meeting was called in the VC’s Office at 4:15 PM and the same was attended by the VC, the Registrar, the DOS & the Chief Proctor. DOS informed that no permission for the aforesaid event was ever given. It was decided that permission if any for this event should be withdrawn. Accordingly DSO instructed the CSO through a SMS to inform and direct ‘The Organizers’ of the event to not hold this event as the permission for the same stood withdrawn. The security removed the objectionable posters and the sound system was removed from the site. As per the accepted SOP, Police was informed and it was instructed by the VC that no force would be used against any student, not even in self- defense. However, the organizers went ahead with the unauthorized event, and a law and orders situation was created.
2. The Vice-Chancellor urgently called for the meeting in the VC’s Office which was attended by the VC, The Registrar, DOS & the Chief Proctor on 11.02.2016.
3. On 11.02.2016, the Vice-Chancellor vide notification dated 11.02.2016 constituted the High Level Enquiry Committee (HLEC) to enquire about the incident that took place on

09.02.2016 in the Respondent's campus. The terms of reference of the HLEC was approved by the VC vide notification dated 11.02.2016. A copy of the notifications dated 11.02.2016 is hereby annexed and marked as **Annexure-B (Colly)**. The terms of reference of the HLEC was:-

- i. To enquire into the incident and ascertain the sequence of events,
  - ii. Identify any lapses that may have taken place,
  - iii. On the basis of the findings, recommend actions to be initiated by the University as per its statutes and guidelines.
4. The Committee met on day to day basis from 12<sup>th</sup> February, 2016, to collect material evidences based on which report was made. A copy of report of HLEC is annexed herewith as **Annexure C**. The Committee adopted the Standard Operating Procedure. A copy report of standard operating procedure adopted by the committee annexed as annexure I in HLEC report is annexed herewith as **Annexure D**.
5. The Committee vide Order no. 115/CP/2016 dated 12.02.2016 based on the report ,video clipping of the events and other related documents submitted by the Chief Security Officer (CSO), were of the opinion that prima facie evidence of the occurrence of offences exists. A copy authenticated video clips and other documents submitted by the CSO annexed as annexure II in HLEC Report are annexed herewith as **Annexure E**. The committee also noted that the form was made signed by the Additional Dean of Students on the false pretext of holding poetry reading competition at Sabarmati Dhaba. In fact, even after the permission taken on false pretext was withdrawn, the event was continued by the Petitioner and other appellants. The Committee also held the students guilty and also suspended them academically from the University with immediate effect during

the pendency of the enquiry, however, they were allowed to stay in their respective hostels as a guest during the period of the enquiry. A copy of order dated 12.02.2016 is annexed herewith as **Annexure F**.

6. On 12.02.2016, the Petitioner was directed to appear before the Enquiry Committee on 15.02.2016 at 3:00 PM in Room No. 108, Administrative Building, JNU, New Delhi to explain her position about the incident that took place on 09.02.2016 near Sabarmati and Ganga Hostel being investigated by the High Level Enquiry Committee, JNU. This was the **First Notice** issued by the Respondent to the Petitioner. A copy of the notice dated 12.02.2016 is annexed herewith and marked as **Annexure-G**.
7. The Notice had also mentioned that if the Petitioner fails to present herself on the appointed date and time for the hearing, it will be presumed that the Petitioner shall have nothing to say in this matter. The Petitioner was also given the chance to bring any evidence in support of her defense. The Petitioner did not appear for the hearing at the said date i.e. 15.02.2016 before the High Level Enquiry Committee (HLEC).
8. The Enquiry Committee again issued a **Second Notice** to the Petitioner via letter dated 16.02.2016 and again directed her to appear before the Enquiry Committee on 18.02.2016. A copy of **second notice** dated 16.02.2016 is annexed herewith as **Annexure-H**. The Petitioner again had abstained herself from the hearing and was absent on 18.02.2016.
9. On 18.02.2016, a **Third Notice** was issued by the Enquiry Committee of the Respondent to appear before the High Level Enquiry Committee on 26.02.2016 at 11:00 AM. A copy of the letter dated 19.02.2016 to the Petitioner is hereby annexed as

**Annexure-L.** Despite notice being served at all her known addresses including her email-id the petitioner did not appear before the Enquiry Committee.

10. On 22.02.2016, the Registrar of Respondent vide their letter informed the Chairman of the HLEC regarding grant of one week extension i.e. upto 03.03.2016 to submit the recommendations on the incident took place on 09.02.2016. Therefore, the VC vide notification dated 23.02.2016 co-opt two more members to help the committee in conducting the enquiry. A copy of letter dated 22.02.2016 and 23.02.2016 are annexed herewith as **Annexure J (Colly)**.
11. The Respondent vide their letter dated 26.02.2016 again directed the Petitioner to appear before the Enquiry Committee on 29.02.2016 at 3:00 P.M. in Room no. 108, Administrative Building, JNU, New Delhi along with her statements in regard to incident that took place on 09.02.2016. The Respondent also mentioned that the temporary suspension from academic activity is only till 03.03.2016. The Petitioner was granted last opportunity to depose before the Enquiry Committee. A copy of letter dated 26.02.2016 is annexed herewith as **Annexure K**.
12. The Petitioner in regard to the notices sent to her, responded to the Respondent vide letter dated 26.02.2016 taking the baseless ground that because of prevailing atmosphere in university she is unable to depose before the Enquiry. It is submitted that this is no ground for the Petitioner to not to depose before the Enquiry Committee as she went into hiding and avoided the legal proceedings. It is also submitted that the Respondent had ensured with the security personnel, and even the morning walkers who were coming in University from decades were not permitted to

enter the campus. The measures were taken by the Respondent that there wasn't any kind of indiscipline in the Campus and also provide tight security to protect the Petitioner. A copy of letter dated 26.02.2016 is annexed herewith as **Annexure L.**

13. The Petitioner on 29.02.2016 vide her letter again made baseless excuse for not deposing before the Enquiry committee. It is humbly submitted that the Petitioner did not appear before the Committee even after given last opportunity by the Respondent. It is submitted that the Petitioner taking the ground of fear and safety for her life has opted a clever way of not appearing before the Committee. It is submitted that the Respondent had taken steps to ensure discipline in the University Campus and even the morning walkers were prohibited to enter the campus ensuring a tight security and discipline in the entire campus. A copy of letter dated 29.02.2016 is annexed herewith as **Annexure M**
  
14. On 04.03.2016 the Vice Chancellor further extended the term of the Enquiry Committee till 11.03.2016. It is also submitted that after several reminders through notices the Petitioner had turned a blind eye and totally ignored the correspondences made by the Respondent to the Petitioner. The High Level Enquiry Committee spent considerable time in examining all the data pertaining to the event that took place on 09.02.2016. After studying the facts, the High Level Enquiry Committee (HLEC) gave its report recommending action against the erring students. A copy of letter dated 04.03.2016 is annexed herewith as **Annexure N.**
  
15. On 14.03.2016 the Chief Proctor issued to the Petitioner a 'Show Cause Notice' along with the HLEC Report. After repetitive failed Reminders/Notices from the Respondent to which the Petitioner had chosen to take the risk of not appearing before the committee

at her own will, left Respondent with no other alternative remedy but to issue a Show Cause Notice dated 14.03.2016 to the Petitioner and granted her two days' time to submit a reply till 16.03.2016.

16. A copy of the Show Cause notice dated 14.03.2016 is hereby annexed and marked as **Annexure- 0**. A copy of the Statute 32(5) of the Statutes of the University mentioning about the procedures in practice is being annexed and hereby marked as **Annexure-1**.
17. From the aforesaid it may clearly be noted that the petitioner was never interested in joining the enquiry despite numerous opportunities accorded to her by the Respondent in this regard. The Chief Proctor even extended the time till 18.03.2016 for giving reply to the Show Cause Notice to enable the Petitioner to respond to the same. A copy of letter dated 16.03.2016 is annexed herewith as **Annexure 0**. The Petitioner vide her letter dated 18.03.2016 responded the show cause notice wherein she has only challenged the allegation levelled against her rather than giving any defense.
18. Finally on 25.04.2016, office orders were passed that the Petitioner is guilty under the 'Rules and Discipline and proper conduct of students of JNU-Clause 3'. As per the HLEC Recommendations, the Petitioner has been found guilty for:-
  - i. Shouting objectionable slogans in wrongfully organized event  
A copy of Office Order No.155/CP/2016 dated 25.04.2016 is annexed herewith as **Annexure 2**.
- 19.. The Vice-Chancellor in exercise of its powers has imposed a fine of Rs.20,000/- and directed to deposit the fine by 13.05.2016 failing which the hostel facility would be withdrawn with immediate effect and further registration also will not be allowed.

20. Further in her appeal dated 02.05.2016 the Petitioner raised points on views taken by the High Level Committee and challenged the setting up of the High Level Enquiry Committee (HLEC) without giving any defence with respect to the events that unfolded on 09.02.2016. The Respondent vide letter dated 03.05.2016 in regard to Petitioners appeal dated 02.05.2016 informed to meet her and discuss with respect to the event. She has herself lost the opportunity to defend herself by not deposing before the committee. Be that as it may, it is not the case of the Petitioner that she was not allowed access to the documentary evidence filed before the HLEC. She only claims that "adequate" opportunity was not accorded to her to peruse the documents.
21. Some students sought to challenge the office order No. 147/CP/2016 dated 25.04.2016 vide Writ Petition filed before the Hon'ble Delhi High Court. The Hon'ble High Court of Delhi vide its Order Dated 10.05.2016 stated that the Ld. Counsel on behalf of the Respondents accepted the Notice and Respondent was also permitted to file a Counter Affidavit along with all the relevant documents within a period of two weeks. Also, the last date for depositing the fine was extended till the next date of hearing which was 30.05.2016. A copy of the order dated 10.05.2016 of the Hon'ble Court is hereby annexed and marked as **Annexure-5**.

In the meantime the some other students along with the Petitioner filed separate Writ Petitions. The Petitioner filed W.P. (C) 4393/2016 before the Hon'ble Court on 13.05.2016 seeking to challenge the office order No. 147/CP/2016 dated 25.04.2016 passed by the Respondent. The Hon'ble Court vide order dated 13.05.2016 permitted the said petitioners to pursue their appeals before the Appellate Authority and in the meantime stayed the operations of the office order dated 25.04.2016. Accordingly the present petitioner also sought a similar direction and was

accordingly permitted by the Hon'ble Court to pursue her appeal before the Appellate Forum.

22. An appeal to the Vice Chancellor was made by the Petitioner on 02.05.2016 to revoke its decision for punishing the Petitioner, the hearing of which took place on 16.06.2016. All the students who were punished by the HLEC were served with a public notice to appear before a Four Member Committee by post/mail. The meeting started at 10 am at the Admin Block, Room No.201 and went on till 10pm on that very day and also continued on next day. In regard to hearing dated 16.06.2016, the Petitioner in her letter dated 16.06.2016 has clearly stated that files, documents were shown to her, and was also told by the Respondent to look at the materials if she wanted. The Respondent has accorded her full opportunity to through the documents. As per the deposition of security officer the Petitioner was seen shouting slogans. A copy of deposition by Security officer and by some students is annexed herewith as **Annexure T**. Some of the parties who had failed to appear before the Appeals Committee were allowed to appear on 04.07.2016 hence great effort was made by the Appeals Committee to ensure that adequate opportunity is afforded to all the appellants and were given as much time as they desire to place their version on the show cause notice and the recommendations made by HLEC Report before the Appeals Committee. However, most of the appellants were non-cooperative and unresponsive despite full opportunities being accorded to them and did not even answer the simplest queries raised by the appellate forum to ascertain the response of the appellants. It may be noted that admittedly a serious breach of discipline had occurred on the evening of 09.02.2016 when the organizers of the alleged events, without taking due permission had gone ahead with the same, thereby jeopardizing the security on the campus and creating an anarchic situation. Incidentally the very same organizers went

ahead to take credits for the same events in media and are claiming the same to be their right to Free Speech & Expression. The Respondent is in no manner desirous of curtailing the freedoms enshrined under the Constitution of India to the citizens. However, the discipline on a campus has definitely to be upheld and any breach thereof shall attract retribution. Therefore, the Petitioner cannot reprobate and approbate at the same time when on one hand claiming the organization of the event to be her Right of Freedom of Speech and Expression and on the other hand not even owning to be an organizer in response to first the (i) enquiry, (ii) Show Cause Notice, (iii) The hearing before the Appellate Committee. The norms of the Disciplinary committee prescribe a statement from the accused person even before he is entitled to access to the evidence placed before the Enquiry Committee. Though, it is asserted at the cost of repetition that every possible opportunity was given not only to the Petitioner but each and every appellant to ensure that the Principles of Natural Justice are upheld. However, instead of availing these opportunities for fact finding purposes, it can only be presumed that every effort is being made by the Petitioner to avoid consequences to her own conduct on one hand and derive political mileage from the same on the other. It is pertinent to mention here that each appellant had nearly spent three hours with all the documents and examined them in the presence of the one member of the Appellate Committee.

23. There are letters from the students who have mentioned in their letters that they were given equal opportunity to be heard and inspect the documents pertaining to their case. It is to be noted that no time restriction was imposed on these students and terms of the rules of natural justice have been duly complied with. The Petitioner spent three hours with the pertinent files and had gone through all the documents and evidences and also cross-

questioned the Appellate Committee regarding the reliability and validity of the witness. The time spent by the Petitioner being the PhD student on the files and documents was more than sufficient. Moreover, the Appellant Committee continuously translated the pertinent files to the Hindi Language for their better understanding depending upon their language of communication. It is humbly submitted that the Appellant Committee did not restrict the appellants in terms of time, although the letters sent to them had a designated time, although the letters sent to them had a designated time.

A copy of the letter dated 06.09.2016 by the Appeals Committee to the Registrar giving the sequence of events that transpired before the Appeals Committee is annexed herewith as **Annexure U**.

24.A bare perusal of the same will evince that the time taken by the Petitioner to examine the same was more than sufficient. She has herself lost the opportunity to defend herself by not even responding to the simple queries raised by the Appellate Committee.

Pertinently, even in appeal the Petitioner only challenged the setting up of the High Level Enquiry Committee (HLEC) without giving any defence with respect to the events that unfolded on 09.02.2016. The Respondent had duly served notices and gave the Petitioner ample opportunity for recording her reasons as to why action should not be taken against the Petitioner before passing the office order dated 25.04.2016.

25. It is also pertinent to mention here that there were certain appellants who had clearly stated in their appeal that they were provided with the documents by the committee and they had appealed on the basis of these documents to consider their cases with leniency, looking at their career and humble background.

This very fact amply manifests that all the pertinent files and documents were made available to all the appellants including the Petitioner.

- 26. The Respondent finally issued the Office Order No. 209/CP/2016 dated 22.08.2016 wherein the Petitioner was directed to submit the Fine of Rs.5,000 /- within two weeks from the date of implementation of this order. The Respondent took leniency with respect to Petitioner's deposition before the Appellate Authority and reduced his fine. A copy of order dated 22.08.2016 is annexed herewith as **Annexure V**.

It is humbly submitted that the petition has been filed for selfish motives of the petitioner and the petitioner have not come with clean hands and suppressing the real facts before the Hon'ble Court.


In these circumstances, it is most humbly prayed that this Hon'ble Court may be pleased to dismiss the above writ petition and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

**VERIFICATION:**

The Deponent above named to hereby solemnly affirm and declare that the contents of the above affidavit are true to my knowledge and belief. Nothing Material has been concealed.

Verified at \_\_\_\_\_ on \_\_\_\_\_ day of October, 2016

*Pramod*


**DR. PRAMOD KUMAR**  
 कुलसचिव/Registrar  
 जवाहरलाल नेहरू विश्वविद्यालय  
 Jawaharlal Nehru University  
 नई दिल्ली/New Delhi-110067

# ANNEXURE. A 13



जवाहरलाल नेहरू विश्वविद्यालय छात्र संघ  
JAWAHARLAL NEHRU UNIVERSITY STUDENTS UNIO

Date: 03/02/18

To,  
The Chief Proctor Officer  
JNU - New Delhi - 67.

Subject: Regarding the anti National activities and anti-  
Constitutional slogan in our campus.

Dear Sir,

With due respect, I would like to state that there is going a program at Sabarimati Dhaba at 5:00 pm as poster posted at all hostel wall. "Against the judicial killing of Afa Guru & Maghribi Bhut" mentioned.

These activities will disturb the peace & Harmony of the campus.

So on behalf of the students community, I request you to kindly stop these activities by taking immediate action and rectify the involve students.

Thanky you,

Saurabh Kumar Sharma  
03/02/18

Saurabh Kumar Sharma.

Joint Sec. JNUSU

9810448297

js.jnusu2015@jnu.ac.in

cc: Registrar, JNU, New Delhi.

Attached: the wall poster

u

# ANNEXURE-B (Copy)

JAWAHARLAL NEHRU UNIVERSITY  
NEW DELHI-110067

14

February 11, 2016

## NOTIFICATION

Ref : Notification No. Reg./Misc./16/ dated 11.02.16

The Vice-Chancellor has approved the terms of reference of the High Level Committee constituted to enquire into the incident that took place on 09.02.2016 in JNU Campus as under:

1. To enquire into the incident and ascertain sequence of events
2. Identify any lapses that may have taken place; and
3. On the basis of the findings, recommend actions to be initiated by the University as per its statutes and guidelines.

  
(Bupinder Zutshi)  
Registrar

To

1. Professor Rakesh Bhatnagar, Chairperson, High Level Enquiry Committee
2. Prof. H.B. Bohidar Member
3. Professor Suman K. Dhar, Member



15

JAWAHARLAL NEHRU UNIVERSITY  
NEW DELHI-110067

No. Reg./Misc./16 / 251

February 11, 2016


**NOTIFICATION**

The Vice-Chancellor has set up a high level enquiry committee consisting of the following to inquire into the whole incident took place in the name of 'cultural evening' organized by some students of the University on 9<sup>th</sup> February, 2016 near Sabarmati and Ganga Hostel on the Campus:

1. Professor Rakesh Bhatnagar, SBT – Chairperson
2. Professor H.P. Bohidar, SPS
3. Professor Suman K. Dhar, SCMM

The Chief Security Officer shall coordinate and assist the Committee.

The Committee shall submit its report by 22<sup>nd</sup> February, 2016.

  
(Bupinder Zutshi)  
Registrar  
oll

To

1. Professor Rakesh Bhatnagar, SBT, JNU
2. Prof. H.B. Bohidar, SPS, JNU
3. Professor Suman K. Dhar, SCMM, JNU

Copy to:

1. Chief Security Officer, JNU
2. OSD to VC, JNU

Chief Security Officer, JNU

2  
7.C

# ANNEXURE - C

16

Jawaharlal Nehru University  
New Delhi-110067

## Report of the High Level Enquiry Committee Preamble

A High Level Enquiry Committee was constituted by the Vice Chancellor on 11<sup>th</sup> February 2016 to enquire into the incident in JNU campus that occurred on 9<sup>th</sup> February 2016 around an event organised by some students,

The Committee was notified on 11 February 2016 and comprised the following members:

- |                                |             |
|--------------------------------|-------------|
| 1. Prof. Rakesh Bhatnagar, SBT | Chairperson |
| 2. Prof. H. B. Bohidar, SPS    | Member.     |
| 3. Prof. Suman K. Dhar, SCMM   | Member      |

The Terms of Reference for the 3 Member Committee was:

1. To enquire into the incident and ascertain sequence of events
2. Identify any lapses that may have taken place, and
3. On the basis of the findings, recommend actions to be initiated by the university as per its statutes and guidelines.

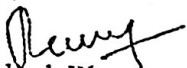
Subsequently, the Vice Chancellor expanded the Committee on 23 February 2016 and included 2 more members:

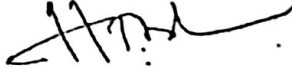
1. Prof. G.J.V. Prasad, Centre for English Studies, SLLCS
2. Prof. Ummu Salma Bava, Centre for European Studies, SIS


The Committee adopted the Standard Operating Procedure (Annexure I).

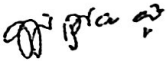
The Committee used the video clips submitted by the CSO and had them duly authenticated by a government approved agency: Truth Labs, Bangalore- Q1-Q8. Only clips Q4, Q5, Q6, Q8 have been used for the enquiry. (Annexure II)

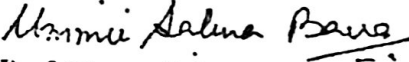
The Committee met on a day to day basis from 12 February 2016 to collect material evidences and eye witness accounts.

  
Prof. Rakesh Bhatnagar, SBT  
Chairperson

  
Prof. H. B. Bohidar, SPS  
Member

  
Prof. Suman K. Dhar, SCMM  
Member.

  
Prof. G.J.V. Prasad, CES, SLLCS  
Member.

  
Prof. Ummu Salma Bava, CES, SIS  
Member.





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The Committee conducted the process of (i) taking written depositions of eye witnesses and (ii) examining the video clips submitted by JNU Security Office and (iii) scrutinizing various documents related to this incident over the period of enquiry.

For his purpose, the committee invited all the people who applied for permission to hold this programme, and the individuals whose names that were printed on the poster as organisers of the event, people who had given complaints, the security staff present during the event and all JNUSU office bearers. In addition to this, a notice was sent to all the centres, schools and hostels to invite anyone who was present at the venue or had any information or evidence relating to this event.

During this exercise, number of intimations was sent to students to appear before the Enquiry Committee out of which many students responded and gave their depositions. Students who did not respond to the first intimation, were served second notice, and if they still did not respond, were served the third notice. The first and second notices were served to the students through their Centre Chairpersons and Senior wardens of their concerned Hostels. The third notice was served by Speed Post to their home addresses available on JNU records, in addition to their Centre and Hostel addresses. All the notices were also sent to the e-mail ids of the concerned students available with JNU (Annexure III).

Depositions were heard from JNU Security Personals who were present at the site on that day. Some of the security persons and Mess manager(s) were also called to identify the individuals present during the event. The Operations Manager of G4S was also called to depose before the Committee.

The Committee took the depositions of the following university officials to establish the sequence of events

1. Prof. Anupama Ray CPS, SSS (Chairperson)
2. Prof. R. Mahalakshmi ADOS
3. Prof. Bhuopinder Zutshi, Registrar
4. Prof. Shyamal Goswami, Dean of Students
5. Mr. Naveen Yadav, Chief Security Officer
6. Mr. S. S. Palni, Security Inspector, JNU

*Rakesh*  
Prof Rakesh Bhatnagar, SBT  
Chairperson

*H. B. Bohidar*  
Prof. H. B. Bohidar, SPS  
Member

*Suman K. Dhar*  
Prof. Suman K. Dhar, SCMM  
Member

*G. J. V. Prasad*  
Prof G. J. V. Prasad, CES, SLCS  
Member

*Ummu Salma Bava*  
Prof Ummu Salma Bava, CES, SIS  
Member



*J.C.*

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**Jawaharlal Nehru University**

**Report of the High Level Enquiry Committee**

**TOR: 1: Enquiry into the Incident and Sequence of Events**

The committee invited all the people who applied for the permission to hold this programme and the names of the individuals that were printed on the poster of the event. It also invited all the complainants, the security staff present during the event and all JNUSU office bearers. In addition to this, a notice was sent to all the centres, schools and hostels to invite anyone who was present at the venue or had any information or evidence relating to this event. The Committee also called the faculty who forwarded the application of these students for holding the event to depose before the committee.

Based on the aforesaid depositions, perusal of video clips, and examination of documents on record, the Committee has reconstructed the incident and the sequence of events:

**L Booking of the venue**

On 8<sup>th</sup> February 2016, a booking requisition form was filled out by one student namely:

- (i) Mr. Umar Khalid, CHS/SSS

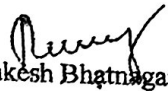
And the Undertaking form was signed by four students:

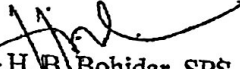
- (ii) Mr. Syed Umar Khalid, CHS/SSS  
(iii) Ms. Komal Mohite, CPS/SSS  
(iv) Mr. Anirban Bhattacharya, CHS/SSS and  
(v) Ms. Aswathi A. Nair, CAS/SIS

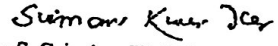
The form prescribed that the same had to be approved by the Rector who is the approving authority.

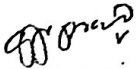
Ms. Komal Mohite, CPS/SSS took the form to Prof. Anupama Ray, Chairperson CPS/SSS to have it forwarded by her. The form sought permission to hold a "Poetry Reading - A Country Without a Post Office at Sabarmati Dhaba on 9 February 2016 from 5 pm - 7.30 pm ( Annex III). The total number of the participants mentioned in the form was 07 only. The booking was in the name of Mr. Umar Khalid, CHS, SSS.

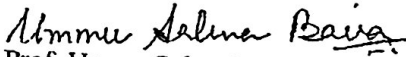
Mr. Syed Umar Khalid took the form to Dean of Students (DSW) for signature. Since the DSW was not available, Prof. Mahalakshmi, Additional Dean of Students (ADOS I) signed the form and handed it over to Mr. Syed Umar Khalid (Annexure IV).

  
Prof. Rakesh Bhatnagar, SBT  
Chairperson

  
Prof. H. B. Bohidar, SPS  
Member

  
Prof. Sumant K. Dhar, SCMM  
Member

  
Prof. G. J. V. Prasad, CES, SLLCS  
Member

  
Prof. Ummu Salma Bava, CES, SIS  
Member



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The form was then to be sent to the Rector for approval. Thereafter, the approval was supposed to be sent to Chief Security Officer (CSO) for necessary action (A Completed Form Sample Annexure IV a). However, the form was never taken to the Rector's Office, being the approving authority and hence approval for the event on 9 February 2016 was never sought nor granted. Further, the CSO also did not receive any official intimation about the holding this event.

2. Incident of 9 February 2016

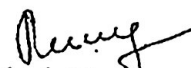
As per the deposition of Mr. Saurabh Kumar Sharma, Joint Secretary, JNUSU stated that he got to know about the event at 12 pm on 9 February and took a photograph of the posters and printed it out and submitted in writing to Vice-Chancellor, Proctor Office, CSO, Registrar and DOS stating that some students are planning to host a "anti-national event" in the evening at Sabarmati Dhaba. He immediately also informed the police and the media about the event. As per the North Gate entry record ANI and Zee News TV crew came to the campus at 4.45 pm and 5.20 p.m. respectively (Annexure V). ANI left campus at 5.48 pm and Zee left at 7.20 pm.


As per the deposition of the Registrar (See other deposition file), Mr. Kanhaiya Kumar, Mr. Rama Naga were present in his office around 3.00 pm to discuss about the bus route. After 10 minutes Mr Saurabh Sharma came to the Registrar's office to join the meeting. Then Mr Saurabh Sharma and showed him the poster of the event. As per the CCTV footage (CCTV camera installed outside Registrar Office) it is not possible to verify the individuals who went in and came out of the office).

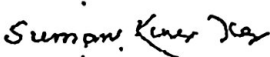
The posters had the following title "Against the Brahmanical 'Collective conscience'; Against the judicial killing of Afzal Guru and Maqbool Bhat! In solidarity with the struggle of Kashmiri people for their democratic right to self determination...(Annexure VI a); "Afzal tumhare armano ko hum manzil tak pounchayengel (Annexure VI b); Cowardly acts like the judicial murder of afzal Guru can never suppress the flames of Azadi in Kashmir! (Annexure VI c); "On 9<sup>th</sup> of February...., remembering the martyrdom of Afzal Guru (Annexure VI d).

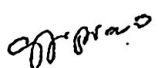
Subsequently there was a meeting at 4.15 pm in the VC office which was attended by the VC, Prof. M. Jagadesh Kumar, the Registrar, DOS and Chief Proctor Prof. Krishan Kumar. They discussed about the event. DOS said he does not remember giving permission for the event. It was decided in this meeting that the permission for this event should be withdrawn. At 4.30 PM, the Registrar got a call from Mobile no: 9457565317 and the caller identified himself as Kanhaiya, who asked why the permission was withdrawn. The Enquiry Committee could not confirm the identity of the said mobile number.

As per the deposition of the DOS (see Other Deposition file), he immediately instructed the CSO through an SMS to convey to the Organizers not to hold this meeting because the permission had been withdrawn. (Annexure VII). DOS was told by the CSO after some time that the Security had removed the posters and the sound system had been removed from the site.

  
Prof. Rakesh Bhatnagar, SBT  
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Prof. H. B. Bohidar, SPS  
Member

  
Prof. Suman K. Dhar, SCMM  
Member

  
Prof. G.J.V. Prasad, CES, SLCS  
Member

  
Prof. Ummu Salma Bava, CES, SIS  
Member



According to the CSO's deposition (see Security Deposition file), he received a call from the DoS between 3.00 pm and 3.30 pm and was asked if a programme related to Afzal Guru was being organised by the students. CSO replied that he was not aware of any such programme. The DoS asked him to ascertain if it was happening. The CSO instructed his team to confirm if posters related to Afzal Guru had been pasted at the venue.

Subsequently, in the meeting in the VC's office which was attended by the VC, Registrar, DoS, and Chief Proctor, CSO was called in and told that the permission for the programme had been withdrawn and he was ordered by the VC to stop the programme from happening. He was also instructed to inform the Police as per the accepted SOP, which he did. He was further instructed by the VC not to use any force against any student, not even for self defence.

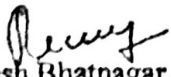
Instructions were given to the Operations Manager of Group 4 by Mr Palni, JNU Security Inspector, who directed Mr Amarjeet Kumar (Group 4) to go at 4.30 pm to Mr. Umar Khalid's room (R. No. 168) at Tapti Hostel and inform him that the programme that he was to hold had been disallowed by the administration. Mr. Syed Umar Khalid told Mr Amarjeet Kumar that they will go ahead with the programme at Sabarmati Dhaba and security can do whatever it wants.

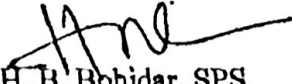
### 3. Sabarmati Ground

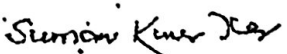
As per the deposition of Mr. O.P. Yadav, Operations Manager (G4S) (See Security deposition File), which is corroborated by the deposition of Mr V P Yadav, Security Supervisor (G4S), immediately after that they reached Sabarmati grounds, along with Mr Palni and a team of guards around 4.45 pm. Mr. Syed Umar Khalid, Mr. Anirban Bhattacharya were found putting up posters and were setting up a public address system. Mr. Umar Khalid was advised by the security that he could still seek permission from the authorities as the office was still open. Mr. Umar Khalid rejected the plea of the Security staff to stop the meeting and conveyed to them that he had the necessary permission to hold the Meeting. Among other students gathered there who were busy organising the event were Mr. Ashutosh Kumar, Mr. Rama Naga, Ms. Shweta Raj, Ms. Chintu Kumari, Mr. Anant Prakash and Ms. Banojyotsna Lahri. According to some depositions, Mr. Kanhaiya Kumar came late to this venue, while still others say that he only joined in the procession.

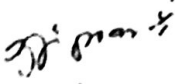
Students gathered there slowly, and Syed Umar Khalid, Asutosh and Anirban addressed the Meeting. This was followed by sloganeering and the following slogans were shouted like "Kashmir ke log sangharsh karo hum tumhare saath hein", Afzal Guru Zindabad, Chheen Ke lenge Azadi". "Manipur mange azadi", "Nagaland mange azadi", "Kashmir mange azadi" etc. "Kashmir ke azadi tak jang rahegi jang rahegi", "Hindustan ke barbadi tak jang rahegi jang rahegi", "Hum kya mange azadi Bندوق se lenge azadi", "Chheen ke lenge azadi", "Go India go back", "Ek Afzal maroge, har ghar se Afzal niklega" etc. (These slogans are in no particular sequence).

Along with the above mentioned students, other students namely, Gargi Adhikari, Ms. Sweta Raj, Mr. Rama Naga, Ms. Chintu Kumari and Banojyotsna Lahri, Ms Rubina Saife, and Ms. Anjali were also participating in the sloganeering.

  
Prof. Rakesh Bhatnagar, SBT  
Chairperson

  
Prof. H. B. Bohidar, SPS  
Member

  
Prof. Suman K. Dhar, SCMM  
Member

  
Prof. G.J.V. Prasad, CBS, SLCS  
Member

  
Prof. Ummu Salma Bava, CES, SIS  
Member



4. Presence of Outsiders in the Event and slogans raised by them

The presence of a group of outsiders was noted by the Security staff and confirmed by many other eye witnesses. This group of outsiders had their head and faces covered by a cloth / scarf most of the time. This group of people had engaged in shouting the following slogans: "Kashmir ki Azadi tak, jang rahegi, jang rahegi", "Bharat ko ragda, de ragda", "zor se ragdo, de ragda", "Aeen Hindustan ka, Manzoor nahi, manzoor nahi", "Go India Go Back", "We want freedom". (As per Q8 Video clip up to 1.19, as authenticated by Truth Labs). Along with this group, one JNU Student, identified as Mr. Mujeeb Gattoo (Room No 137, Cauvery) was also seen participating in the sloganeering (As per Q8 Video clip at 0:00:45 - 0:00:59; as authenticated by Truth Labs). As per the depositions the following slogans were also made: "Hum kya mange azadi", "bandook se lenge azadi", "Indian army murdabad", "Pakistan zindabad", "Bharat ki barbadi tak, jung rahegi", "kitne mabool maroge, ghar ghar se maqbool niklega". "JNU prashasan murdabad", "Kashmir ki junta jung karo, hum tumhare sath he".

As per the deposition of eye witnesses, ABVP members around 35-40 students led by Mr. Saurabh Kumar Sharma had gathered on the opposite side and were slogan shouting against the other side. ABVP student members Vinit Lal, Shruti Agnihotri were shouting slogans like "Vande Mataram", "Bharat Mata Ki Jai".

This slogan shouting on both sides continued till about 7.30 pm.

5. Procession

As per the deposition of eye witnesses (see all Deposition files), the crowd gathered at Sabarmati Ground then suddenly started moving towards Ganga Dhaba in a procession. Both sides suddenly started moving. On the one side in the procession Umer Khalid, Asutosh, Rama Naga, and Kanhaiya Kumar were present. And on the other side Saurabh Sharma, Vinit Lal and Shruti Agnihotri were also present. There was scuffle between both groups, but no violence was reported as both these sides were separated by a human chain made by the security guards. The group of 10-15 masked outsiders also were part of this procession. It has been seen in the video clip ( Q6, time 0:00:44 - 0:01:07) authenticated by Truth Labs) that one JNU student Mr. Mujeeb Gattoo ( Room No. 137, Cauvery) is seen raising slogans, " hum kya chahati hain azadi", "hur cheen ke lenge azadi". Another student Mr. Mohd. Qadeer ( Room No. 221, Lohit) was seen close to Mr. Gattoo. Both were found in close proximity of the outsiders. As per the deposition of some eye witnesses the police was present in the procession. The sloganeering continued until the gathering reached Ganga Dhaba at about 8.00 pm.

6. Ganga Dhaba

As per witness deposition (see all depositions), the same group of 10-15 masked outsiders shouted slogans, The police had already arrived there including the ACP and SHO of Vasar Kunj North Police Station. As per many eye witness depositions, Mr. Kanhaiya Kumar, Ram Naga and Anirban addressed the gathering here, however what they said was not audible to them.

*Rakesh Bhatnagar*  
Prof. Rakesh Bhatnagar, SBT  
Chairperson

*H. B. Bohidar*  
Prof. H. B. Bohidar, SPS  
Member

*Suman Kumar Dhar*  
Prof. Suman K. Dhar, SCM  
Member

*G. J. V. Prasad*  
Prof. G.J.V. Prasad, CES, SLLCS  
Member

*Urmu Salma Bava*  
Prof. Urmu Salma Bava, CES, SIS  
Member

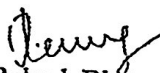


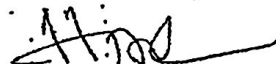
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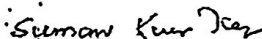
From the ABVP group, there were counter protest and slogans. They also shut the University main North gate and blocked the traffic. According to the deposition of Mr. R. P. Singh, Security Supervisor, Mr. Saurabh Sharma, Joint Secretary JNUSU laid down in front of the DTC Bus and asked to check the I-Card of all the people, because he suspected that some outsiders who participated in the event were in the bus. After that, he was asked to get up and the bus had to go back. The crowd dispersed between 8.30 p.m. - 9.00 pm. The group of 10-15 unidentified people also left the campus.

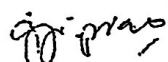
7. Police Presence on Campus

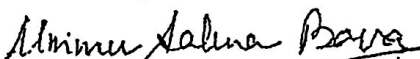
As per deposition of Mr. S.S. Palni, JNU Security Inspector, police in civilian dress was present at Sabarnati grounds during the event. Police along with ACP and SHO was present at North Gate. When the procession moved from Sabarnati ground to Ganga Dhaba, police was called in by the Security and joined and accompanied the procession from Godavari onwards.

  
Prof. Rakesh Bhatnagar, SBT  
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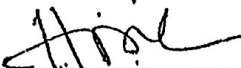



## High Level Enquiry Committee (HLEC)

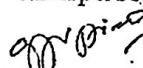
### TOR 2: Identification of Lapses

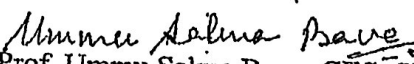
1. A brief summary (few lines) of the programme should have been given to the Dean's office
2. On the booking form, Centre Chairperson had not written her full name and put the seal on the form.
3. On the booking form, ADOS I had not written her full name and put the seal on the form.
4. In the DOS office, no record was kept of this booking form (photo copy and record in the register) and hence on 9 February, no information was immediately available with the DOS office.
5. The booking form, was never submitted to the approving authorities by the students concerned (Mr. Syed Umar Khalid, Mr. Anirban Bhattacharya, Ms. Komal Mohite, Ms. Ashwati Nair).
6. Since the process of seeking approval was never completed, the booking form did not reach the CSO. Therefore, the CSO did not know about the event.
7. The Undertaking form attached to the booking form, did not have the full names and stamps of the four signing authorities- the Faculty, the Chairperson, the Dean of the School and DOS/ ADOS.
8. One student - Ms. Komal Mohite misrepresented her hostel address in the Undertaking Form. Other students did not write their full names.
9. The Students did not complete the process for permission since the form was never submitted to the Rector.
10. Knowing the sensitivity of this particular event (it took place last year as well- confirmed with files available with the Chief Proctor's Office), it has come to light that the DOS was not present on Campus during the event, although he was in touch over the phone with CSO.

  
Prof. Rakesh Bhatnagar, SBT  
Chairperson

  
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Prof. Suman K. Dhar, SCMM  
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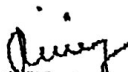
  
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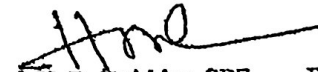
  
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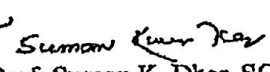


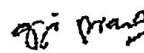
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11. Since the process of taking permission was not completed, there was confusion at the level of the DOS, on whether the permission had been granted or not.
12. The DOS should have withdrawn the permission (if any) in writing and not by sending only an sms to the CSO.
13. It has to be noted that since the event took place last year as well (See Chief Proctor Office File No. 605), the Security was not alert and vigilant to spot these posters for this event, till after the CSO met the authorities.
14. It is to be noted, given that the event had taken place in 2015 as well, DOS office was not vigilant enough to anticipate and prevent this event.
15. Security did not make any efforts to stop the outsiders from shouting provocative slogans and also made no effort to prevent them from leaving the campus.

  
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Chairperson

  
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Prof. G.J.V. Prasad, CBS, SLLCS  
Member

  
Prof. Ummu Salma Bava, CBS, SIS  
Member





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High Level Enquiry Committee (HLEC)

TOR 3: Recommendation for Disciplinary Action

The High Level Enquiry Committee (HLEC) constituted by the Vice-Chancellor on 11 February 2016 and expanded on 23 February 2016 to enquire into the event of 9 February 2016 has been guided by the Statute 32(5) (Rules of Discipline and Proper Conduct of Students of JNU) of the Statutes of the University (copy enclosed).

The High Level Enquiry Committee (HLEC) spent considerable time in examining all the details pertaining to the event that took place on 9 February 2016. After studying the facts it is the considered view of the Committee, that acts of indiscipline were committed and certain norms of conducted violated by the organisers of the event. Taking all the relevant points together, there was a deliberate attempt to mislead the administration about the real nature of the proposed event. The facts reveal that the permission process was circumvented and this is clear by taking in view the sequence of events as constructed by the depositions and examination of witness and material evidence made available to the Committee. The organisers disobeyed the instructions from the administration about not holding the event. This amounts to wilful defiance. This act of indiscipline if it had further escalated could have led to a law and order situation. The role of the security is appreciated in preventing the escalation of standoff between the two groups of students.

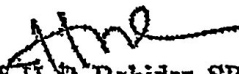
It is most unfortunate that the organisers allowed the event to be taken over by a group of outsiders who created a charged atmosphere by raising provocative slogans. This act by the outsider group has brought disrepute to the entire JNU community.

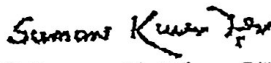
The Committee also notes that none of the JNUSU office bearers acted with due responsibility. The office bearers had to behave with even more restraint and caution befitting the position that they hold. They need to rise above politics and other differences as they represent the student community of the University and this point needs to be reiterated here in their conduct that should be exemplary. It is unbecoming of student representatives that they should be found engaging in disorderly conduct or condoning it.

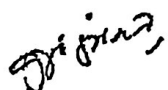
The Enquiry committee sought to establish the sequence of events of the day and identify the individuals responsible for different actions.

The Committee gives the following recommendations. The students have been charged on the following clauses of Category II of misconduct and indiscipline. (Rules of Discipline and Proper Conduct of Students of JNU) of the Statutes of the University (copy enclosed).

  
Prof. Rakesh Bhatnagar, SBT  
Chairperson

  
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Prof. G.J.V. Prasad, CES, SLLCS  
Member

  
Prof. Ummu Salma Bava, CES, SIS  
Member





**Recommendation for Disciplinary Action**

S. No.	Name	Centre	Category II/ Under Clause (3)	Punishment
1.	Mr. Anirban Bhattacharya	CHS, SSS	vi, ix, xi, xxv	Rusticated till 15 July 2016 Out of Bounds from JNU campus w.e.f. 23 July 2016 for five years Repeat Offender
2.	Mr. Syed Umar Khalid	CHS, SSS	vi, ix, xi, xxv	1 Semester Rustication and Fine of Rs. 20,000/-
3.	Mr. Mujeeb Gattoo	ZHCES, SSS	ix, xxv	2 Semester Rustication
4.	Mr. Ashutosh Kumar	CRCAS, SIS	ix, xi, xxv	Withdrawal of Hostel for one year and Fine of Rs. 20,000/-
5.	Ms. Komal Mohite	CPS, SSS	vi, xxv	No Hostel facility till 21 July 2016 and Fine of Rs. 20,000/-
6.	Ms. Aswathi A. Nair	CAS, SIS	xxv	Fine of Rs. 20,000/-
7.	Ms. Anjali	Caannot identify	xxv	Fine of Rs. 20,000/-
8.	Ms. Anwesha Chakraborty	CPS, SSS	xxv	Fine of Rs. 20,000/-
9.	Mr. Revazul Haque	SA&A	xxv	Fine of Rs. 20,000/-
10.	Ms. Bhawna	Caannot identify	xxv	Fine of Rs. 20,000/-
11.	Ms. Rubina Saife	CIL, SLLCS	xxv	Fine of Rs. 20,000/-
12.	Ms. Shweta Raj	CIL, SLLCS	xxv	Fine of Rs. 20,000/-
13.	Ms. Aishwarya Adhikari	SIS,	xxv	Fine of Rs. 20,000/-
14.	Ms. Gargi Adhikari	SIS	xxv	Fine of Rs. 20,000/-
15.	Ms. Chintu Kumari	CPS, SSS	xxv	Fine of Rs. 20,000/-
16.	Mr. Rama Naga	CPS, SSS	xxv	Fine of Rs. 20,000/-
17.	Mr. Anant Prakash Narayan	CSLG	xxv	Fine of Rs. 20,000/-
18.	Mr. Kanhaiya Kumar	CAS, SIS	xxv	Fine of Rs. 10,000/-
19.	Mr. Saurabh Kumar Sharma	SCIS	xix	Fine of Rs. 10,000/-
20.	Ms. Banajyotsna Labiri	Outsiders	xxv	Out of Bounds for five years
21.	Ms. Draupadi Gosh	Outsiders	xxv	Out of Bounds for five years

*Rakesh*  
Prof. Rakesh Bhatnagar, SBT  
Chairperson

*H. B. Bohidar*  
Prof. H. B. Bohidar, SPS  
Member

*Suman K. Dhar*  
Prof. Suman K. Dhar, SCMM  
Member

*G. J. V. Prasad*  
Prof. G.J.V. Prasad, CES, SLLCS  
Member

*Ummu Salma Bava*  
Prof. Ummu Salma Bava, CES, SIS  
Member



*J.C.*

# ANNEXURE-D

27

Jawaharlal Nehru University  
New Delhi 110067

## Norms and Procedures to be followed by the Enquiry Committee:

An Enquiry Committee is set up to examine into the matter or event that has occurred. The Enquiry is an internal enquiry of JNU and hence, no other person except the members is allowed to be present during hearings. No one is allowed to be represented by a third party or have an observer during the process of enquiry.

The following procedure/norms/steps shall be followed:

1. The committee shall call members of the JNU community who witnessed the event to come forward and depose before the committee or submit any evidence they may have.
2. Any person - faculty, administration and students responsible for the event in any capacity to be called and their depositions taken. Committee will call any person to depose before it in writing.
3. If any material evidence, like audio/video tapes/paper documents etc. is available, the same is examined. The veracity is established from the person who submits these. However, the Enquiry Committee may at its discretion send the video tapes/recording to an independent-agency for corroboration/independent view of the evidence.
4. Any person, from security staff/staff/faculty/students of JNU, who was present there and had witnessed the incident, to be called and their statements recorded.
5. Witnesses mentioned by any party are listed and they are called for recording their depositions.
6. Finally a comprehensive report is prepared where the sequence of events is established and any lapses identified and recommendation for action as per University guidelines.
7. Final report and recommendations to be submitted to Vice-Chancellor.
8. Members of the committee will sign a confidentiality/Non-Disclosure Statement.
9. Any information shared confidentially to the Committee members will not be shared by them after the terms of the Enquiry Committee is over.
10. No Cell Phone will be brought into the Committee room when any person comes to depose before it.
11. No statement will be issued to the press during the enquiry period and also after the enquiry period.
12. All communication from the University to the Committee and vice a versa will be in writing.



J.C.

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Norms and Procedures to be followed during enquiry:

An Enquiry Committee is set up to examine into the matter or event that has occurred. The Enquiry is an internal enquiry of JNU and hence, no other person except the members is allowed to be present during hearings. No one is allowed to be represented by a third party or have an observer during the process of enquiry.

The following procedure/norms/steps shall be followed:

1. The committee shall call members of the JNU community who witnessed the event to come forward and depose before the committee or submit any evidence they may have.
2. Any person - faculty, administration and students responsible for the even in any capacity to be called and their depositions taken. Committee will call any person to depose before it in writing.
3. If any material evidence, like audio/video tapes/paper documents etc. is available, the same is examined. The veracity is established from the person who submits these. *However, the Enquiry Committee may at its discretion send the video tapes/recording to an independent-agency for corroboration/independent view of the evidence.*
4. Any person, from security staff/staff/faculty/students of JNU, who was present there and had witnessed the incident, to be called and their statements recorded.
5. Witnesses mentioned by any party is listed and they are called for recording their depositions.
6. Finally a comprehensive report is prepared where the sequence of events is established and any lapses identified.
7. Final report and recommendations to be submitted to Vice-Chancellor.
8. Members of the committee will sign a confidentiality/Non-Disclosure Statement.
9. No statement will be issued to the press during the enquiry period.
10. All communication from the University to the Committee and vice a versa will be in writing.

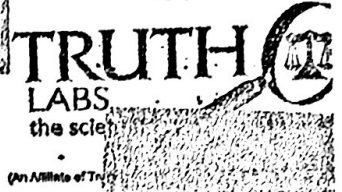
J.C.

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**ANNEXURE - E** (29)

**Dr. Gandhi P.C. Kaza** MA, (USA), MA, M.Sc., Ph.D  
Founder, Chairman, Truth Labs &  
Crime Services Foundation, India



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- Mr. A.K. Gupta, Ex. GEQD**
- Mr. K. Jagannathan Rao, Ex. AD, APFSL**
- Mr. G.V.H.V. Prasad, Dir., Truth Labs**

In Partnership with



File No: TLB/AV/014/16

**FORWARDING LETTER**

Date: 29<sup>th</sup> February 2016

To,  
The Chairman,  
High Level Enquiry Committee,  
Room No. 108, Administrative Block-I,  
Jawaharlal Nehru University,  
New Delhi - 110067.

Sir,

Sub: - Forensic Audio-Video Authentication-Reg.  
Ref: - Your requisition letter no. HLBC/JNU/2016/2490 dated  
25/02/2016.

\*\*\*

Please refer to your above said letter forwarding therewith one DVD-R containing the relevant recordings for forensic examination.

After careful and thorough examination, the opinion and the exhibit are furnished in the enclosure.

Expert testimony, if required, summons may be got issued in the name of Ms. Neeru, Assistant Director, Audio-Video Forensics, Truth Labs, Bangalore at Truth Labs, No. S-115, South Block, Manipal Centre, Dickenson Road, Bangalore - 560042, quoting our file No. TLB/AV/014/16.

An evidence fee of Rs. 1500/- per day plus incidentals of Rs. 20,000/- including actual expenses towards travel and accommodation shall be paid for the testimony.

Please acknowledge the receipt of report and exhibit thereof.

Yours faithfully,

*M.G. Prasad*  
For Chairman,  
Truth Labs

Encl:

- Opinion/Report bearing File No. TLB/AV/014/16 dated 29<sup>th</sup> February 2016 (Twenty Two Sheets).
- DVD-R of WRITEX make capacity 4.7 GB bearing number 5363 407 - R E B 1463 labeled as 'I.N.U. CD 25.2.16 (One item).
- Copy of the Requisition Letter (One Sheet)
- Sample Seal, Truth Labs, Bangalore (One Sheet)
- Invoice towards professional Service Charges.

HEAD OFFICE : 402, Apoorva Towers, Road No. 2, Banjara Hills, Hyderabad - 500 034. INDIA.

Tel: +91-40-2339 0999, Fax: +91-40-2339.0808, M: 94906 90222/333, Email : info@truthlabs.org, www.truthlabs.org

BRANCHES : Delhi - +91- 97117 79779 Mumbai - +91-98673 94333 Chennai - +91- 95660 11665 Bangalore - +91- 94490 30933

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*T.C.*



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File No. TLB/AV/014/16

Date: 29<sup>th</sup> February 2016

**FORENSIC AUDIO-VIDEO AUTHENTICATION STUDY REPORT**

**REFERENCE**

Received one sealed envelope said to contain a DVD-R from The Chairman, High Level Enquiry Committee, Room No. 108, Administrative Block- I, Jawaharlal Nehru University, New Delhi 110067, through Professional courier bearing receipt number B72469622, along with a requisition letter HLEC/JNU/2016 dated 25<sup>th</sup> February 2016, requesting authentication of the recordings contained therein. The case was received and registered at Truth Labs, Bangalore on 26<sup>th</sup> February 2016.

The case was assigned by the Chairman, Truth Labs to Miss S.Neeru, Assistant Director, Cyber & Audio-Video Forensics, Truth Labs, Bangalore for conducting necessary forensic examinations on 26<sup>th</sup> February 2016.

The brief facts of the case, material object received, examinations carried out and the report thereof are given below.

**BRIEF FACTS OF THE CASE**

As per the brief facts provided by the client, the DVD-R contained recordings which had been floated in the Internet and social media regarding events pertaining to the protest at the Jawahar Lal Nehru University (JNU), Delhi. In order to ascertain the authenticity of these recordings, the same had been sent to Truth Labs in the form of a DVD-R for conducting necessary forensic audio-video authentication examinations.

**DETAILS OF MATERIAL OBJECT RECEIVED**

The following material object was received at Truth Labs, Bangalore in a sealed condition bearing the impression "JAWAHARLAL NEHRU UNIVERSITY NEW DELHI":

**Item 1:** A DVD-R of WRITEX make capacity 4.7 GB bearing number 5363 407 – R E E 1463 labled as "J.N.U. CD 25.2.16" and bearing a signature in black ink. This DVD-R was marked as 'Item-1' at Truth Labs, Bangalore. On opening the DVD R, it was found to contain eight recordings, the details of which are as follows:



S. Neeru  
(S.Neeru)

*[Handwritten signature]*

Bangalore : S-115, First Floor, South Block, Manipal Center, Dickenson Road, Bagalore - 560 042.

Tel : +91-80-4131 0172 Mob : +91-94490 30933, email : info@truthlabs.org, www.truthlabs.org

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Page 1 of 22

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*[Handwritten initials]*

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File No. TLB/AV/014/16

S. No	Filename with extension	Duration	File named at Truth Labs as	Hash Value calculated at Truth-Labs (MD5 algorithm-128-bit algorithm)
1.	10 Kashmiris Visited JNU on February 7 With Umar Khalid For Afzal Guru Event - YouTube (360p).mp4	10 minutes 46 seconds 931 Milliseconds	Q1	AP6C0B8659623C8138F2DF07978EA8D5
2.	E - 1, SLOGAN BY OUTSIDERS.MOV	1 minute 54 seconds 776 Milliseconds	Q2	D11F9001286B36D1BFDDF069C58D30D1
3.	E - 2.MOV	1 minute 20 seconds 759 Milliseconds	Q3	BC14613511F2086B5F8BC355F8879951
4.	E - 3.MOV	5 seconds 805 milliseconds	Q4	38FB93444BB5F6D187286AC24A7C8140
5.	E 7 INITIATION SLOGAN.mp4	2 minutes 51 seconds 264 Milliseconds	Q5	B24E649FE620974267EC020B7AFAA611
6.	E4 SABARMATI TO GANGA, MAJEED SLOGAN.MOV	2 minutes 43 seconds 793 Milliseconds	Q6	1C3B70391B78D574DA858822F261281A
7.	E5 ZEE UMAR ANIRBAN ASHUTOSH SLOGAN.mp4	3 minutes 37 seconds 594 Milliseconds	Q7	E06929DDF07E814B6F7BAD2A744959E4
8.	E6, SLOGAN BY OUTSIDERS.mp4	1 minute 49 seconds 653 Milliseconds	Q8	D0C14E7DE980C200F1BF917915B3AE9C

Note: When the above mentioned details were found, the folder option 'Hide extension of known file types' had been disabled in the system used for examination. The above mentioned durations of the recordings were found using the licensed software Goldwave (ver. 5.70) and the hash value was calculated using the software Winhex. The details of licensing are mentioned under the section 'Nature of Examination' of this report.

EXPERT'S PROFILE

**Expert Name** S. Neeru  
**Qualification** B.Sc. Mathematics, University of Madras  
MS-IT, IIIT, Pune  
PG Diploma Cyber Laws, NALSAR University, Hyderabad  
MS Cyber Law & Security, IMT Ghaziabad & NLU, Jodhpur  
**Certifications** Certified Security Analyst (CSA), Certified Ethical Hacker (CEH), EC-Council  
Certified Hacking, Forensic Investigator (CHFI), EC-Council  
C-DAC Certified Cyber Security Professional (CCCSP)  
Diploma in Forensic Audio-Video Analysis, IFS, Pune  
**Training** Vulnerability Assessment Tools, Forensics Tools, Mobile Forensic Tools  
Forensic Hardware, Audio & Video Forensic Software.  
**Experience** Examined about 150 cases in Audio Video Forensics in Truth Labs  
**Expert Testimony** Tendered evidence in fifteen cases at New Delhi, Uttarakhand, Chandigarh,  
Kerala, Karnataka and Hyderabad.



S. Neeru

Bangalore : 8-115, First Floor, South Block, Manpal Center, Dickenson Road, Bagalore - 560 042.  
Tel : +91-80-4131 0172 Mob : +91-94490 30933, email : info@truthlabs.org, www.truthlabs.org  
HEAD OFFICE : 402, Apoorva Towers, Road No. 2, Banjara Hills, Hyderabad - 500 034, TS, INDIA. Tel: +91-40-2339 0999, Fax: +91-40-2339 0888  
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File No. TLB/AV/014/16

**PURPOSE OF EXAMINATION**

To ascertain whether the recordings 'Q1' to 'Q8' contained in the items marked 'Item-1' to 'Item-4' are authentic or not.

**NATURE OF EXAMINATION**

Physical Examination of the Media

The DVD-R marked 'Item-1' was examined under incident, reflected and oblique lights for signs of physical damages like cracks or scratch marks or any other forms of damages.

Source Analysis

Using the filenames of the recordings 'Q1' to 'Q8', an Internet reverse lookup was carried out using the Google Search engine to identify the possible sources of the recordings.

File property analysis

For the purpose of ascertaining whether the recordings contained in 'Item-1' are authentic or not, file property and file header analysis were carried out on the files 'Q1' to 'Q8' using the licensed software 'AccessData® Forensic ToolKit® 3.0.4.2138' and 'winhex15.6'.

Technical specifications of Audio-Video Coding

The technical specifications of the audio coding like format, encoding, bit rate mode, bit rate, sampling rate, number of channels, compression mode, stream size, display aspect ratio, video camera resolution, frame rate mode, frame rate, colour space and bit depth were examined for the recordings 'Q1' to 'Q8' using the licensed software MediaInfo (ver. 0.7). The values of the technical specifications have been mentioned below under the section 'Observations and Findings' of this report.

Acoustic Analysis of Audio

The audio in the relevant portions of the recordings 'Q1' to 'Q8' were examined to study the acoustic events like operational sounds of pause, start or stop, human sounds of speech, laughter, etc and background noise. In addition to this, the acoustic attributes noise-harmonic ratio, percentage of non-voiced frames, pitch and intensity contours were also examined for the relevant portions of the audio in the recordings 'Q1' to 'Q8' using the licensed software Praat (ver. 5.36).

In order to study the entire spectra, the recordings 'Q1' to 'Q8' were converted from their respective formats to .wav mono format using "Save As" option in the licensed software Goldwave (ver. 5.70), while preserving the original sampling rate mentioned under the sub-section 'Technical Specifications of Audio Coding' in the section 'Observations and Findings' of this report.

Bangalore : S-116, First Floor, South Block, Manipal Centre  
Tel : +91-80-4131 0172 Mob : +91-94490 30933, email : info@truthlabs.org or www.truthlabs.org

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BRANCHES : Delhi - +91-97117 79779 MUMBAI - +91-9820 94388 Chennai - +91-95660 11665

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(S. Nagar)

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File No. TLB/AV/014/16  
Audio Authentication Analysis

*Auditory Analysis*

The audio in the relevant portions of the recordings 'Q1' to 'Q8' were examined by means of critical listening to identify abrupt changes, if any, in the conversation, background noise, and possible signs of editing or tampering. The tone consistencies of the speech, speaking mode, fluency and loudness were also examined. The process of critical listening was repeated five to six times using high-end over-the-ear headphones and the licensed software Goldwave (ver.5.70).

*Waveform and Spectrographic Analysis*

Waveform and spectrographic analysis were carried out to examine any discontinuities across the length of conversations for the presence of edit signatures or variations in background noise. Careful visual studies of the time-domain waveforms and spectrograms of the audio contained in the relevant portions of the files 'Q1' to 'Q8' were carried out using the licensed forensic audio software Goldwave (ver. 5.70) and MultiSpeech 3700.

In order to study the entire spectra, the recordings 'Q1' to 'Q8' were converted from their respective formats to wav mono format using 'Save As' option in the licensed software Goldwave (ver. 5.70), while preserving the original sampling rate mentioned under the sub-section 'Technical Specifications of Audio Coding' in the section 'Observations and Findings' of this report.

*Video Authentication*

*Visual Examination*

Careful visual studies of the relevant portions of the video recording contained in 'Q1' to 'Q8' were carried out to identify signs of possible discontinuities.

*Frame-By-Frame analysis*

Detailed frame-by-frame analysis to identify abrupt frame or scene/background changes (Temporal editing) using video software Virtual Dub (ver. 1.9) were carried out on the relevant portions of the recordings 'Q1' to 'Q8'. The individual frames were examined for spatial distortions using the error level analysis algorithm of the licensed tools FotoForensics and imageForensics.

The recordings named 'Q1' to 'Q8' were converted from their respective formats to AVI file format using Oxelon media converter (ver.1.1) while preserving the original frame rate mentioned under the sub-section 'Technical Specifications of Video Coding' in the section 'Observations and Findings' of this report.



*(S. Neeru)*

Bangalore : S-115, First Floor, South Block, Maragudi Center, Dickenson Road, Bagalore - 560 042. Tel : +91-80-4131 0172 Mob : +91-94490 30933  
HEAD OFFICE : 402, Apoorva Towers, Road No. 2, Banjara Hills, Hyderabad. Tel : +91-40-2339 0999, Fax: +91-40-2339 0888  
BRANCHES : Delhi - +91-97117 79779 MUMBAI - +91-98673 94333 Chennai - +91-95660 11665

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File No. TLB/AV/014/16  
Software Licensing

1. The software AccessData FTK (Ver. 3.0) used for examination was licensed to "Truth Labs" with the USB dongle bearing No. 2-1316581.
2. The software Winhex, evaluation version is used.
3. The software MediaInfo, Oxelon media converter (Ver 1.1), Praat, FotoForensics, and Virtual Dub are licensed under GNU P2.
4. The software MultiSpeech 3700 (Ver. 3.2.0) is licensed to 'Truth Labs' with Sl.no. CD320-170-1125-KAY and USB dongle.
5. The software GoldWave (Ver. 5.70) is licensed to 'Truth Labs' with license No. QFSHXXRHH

**OBSERVATIONS & FINDINGS**

Physical Examination of the Media

The DVD-R marked 'Item-1' did not contain any signs of physical damages likes crack or scratch marks or any other forms of physical damages and it was in working condition at the time of examination.

Source Analysis

The Internet based reverse lookup for the recordings 'Q1' to 'Q8' indicated that these recordings have been downloaded from the website www.youtube.com and the details of the URLs associated with these recordings, their Video IDs and Publishing date & Time are as follows:

S.No.	Filename with extension	Truth Labs naming of the recording	URL	Video ID	Date of Publishing
1.	10 Kashmiris Visited JNU on February 7 With Umar Khalid For Afzal Guru Event - YouTube (360p).mp4	Q1	https://www.youtube.com/watch?v=H_ViCdbYsT0	H_ViCdbYsT0	2016-02-16
2.	E - 1, SLOGAN BY OUTSIDERS.MOV	Q2	NA	NA	NA
3.	E - 2.MOV	Q3	NA	NA	NA
4.	E - 3.MOV	Q4	NA	NA	NA

Note: The date and time in the above table are mentioned in the format Year-Month-Date. The value 'NA' indicates that such information could not be found for the specific recordings.



*(S. Neeru)*

Bangalore : 8-115, First Floor, South Block, Manipal Road, Bangalore - 560 042.  
 Tel : +91-80-4131 0172 Mob : +91-94490 30933, Email : info@truthlabs.org, www.truthlabs.org .  
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*Handwritten initials/signature*

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File No. TLB/AV/014/16

S.No.	Filename with extension	Truth Labs naming of the recording	URL	Video ID	Date & Time of Publishing
5.	E 7 INITIATION SLOGAN.mp4	Q5	NA	NA	NA
6.	E4 SABARMATI TO GANGA, MAJIBED SLOGAN.MOV	Q6	NA	NA	NA
7.	B5, ZBB UMAR ANIRBAN ASHUTOSH SLOGAN.mp4	Q7	NA	NA	NA
8.	B6, SLOGAN BY OUTSIDERS.mp4	Q8	NA	NA	NA

The value 'NA' indicates that such information could not be found for the specific recordings.

**File property analysis**

The recordings 'Q1', 'Q7' and 'Q8' contained the standard hexadecimal file headers of Quick Time M4V .mp4 files: 00 00 00 18 66 74 79 70 6D 70 34 32. The recordings 'Q2', 'Q3', 'Q4' and 'Q6' contained the standard hexadecimal file headers of .MOV files: 00 00 00 14 66 74 79 70 71 74 20 20. The recording 'Q5' contained the standard hexadecimal file headers of MPEG-4 .mp4 file: 00 00 00 1C 66 74 79 70. No repeated file headers were found in the recordings 'Q1' to 'Q8'. The screenshot of the file headers is shown in the figure below:

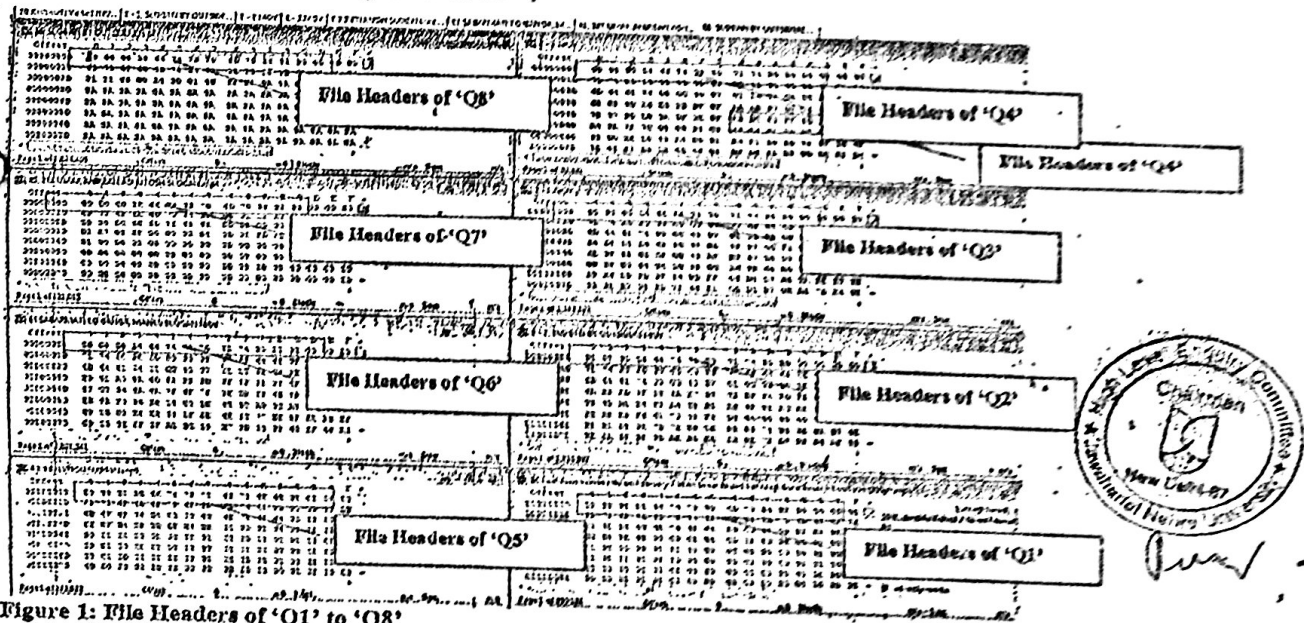


Figure 1: File Headers of 'Q1' to 'Q8'



Bangalore : 8-115, First Floor, South Block, Manipal Center, Dickenson Road, Bangalore - 560 042.  
 Tel : +91-80-4131 0172 Mob : +91-94490 30933, email : info@truthlabs.org, www.truthlabs.org  
 HEAD OFFICE : 402, Apoorva Towers, Road No. 2, Banjara Hills, Hyderabad - 500 034, TS, INDIA. Tel : +91-40-2239 0600, Fax : +91-40-2239 0622  
 BRANCHES : Delhi - +91-97117 79779 MUMBAI - +91-98673 94333 Chennai - +91-96630 11885

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File No. TLB/AV/014/16

The DVD-R marked 'Item-1' had been created using Burnaware Burning software on 25<sup>th</sup> February 2016. No files were found to be deleted from the DVD marked 'Item-1' and the files in this DVD had been burnt in a single session. The screenshot is shown in the figure below:

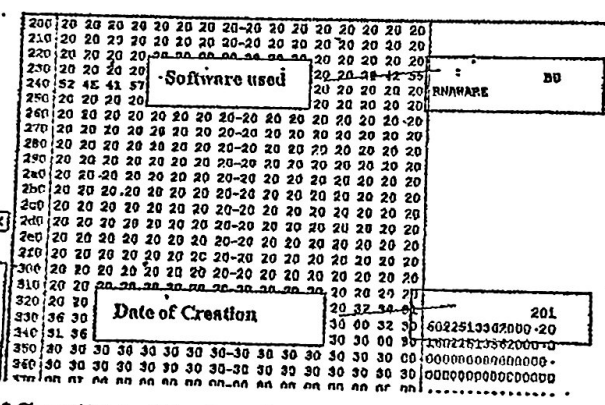
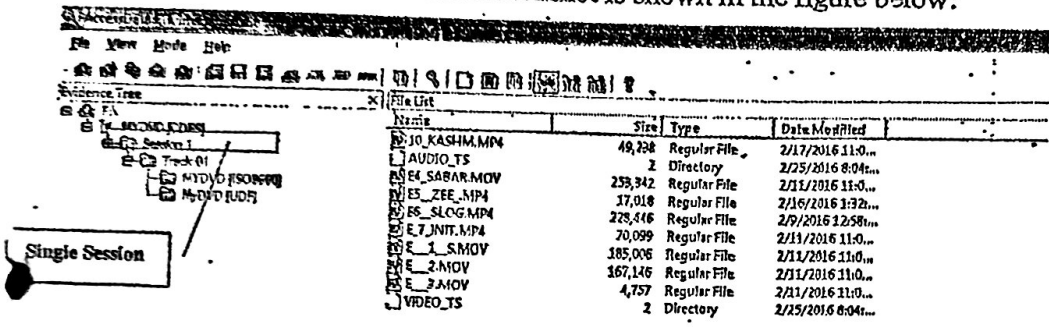


Figure 2: Software used, Date of Creation and Sessions for creation of 'Item-1'

**Technical Specifications of the Audio-Video Coding**

**A. Technical specifications of the audio coding**

The technical specifications of the audio coding used in the recordings 'Q1' to 'Q5' are as follows:

Recordings	Q1	Q2	Q3	Q4	Q5
Technical Specifications					
Format and encoding	Advanced Audio Codec LC format 'with codec ID 40	Advanced Audio Codec LC format with codec ID 40	Advanced Audio Codec LC format with codec ID 40	Advanced Audio Codec LC format with codec ID 40	Advanced Audio Codec LC format with codec ID 40
Bit Rate Mode	Variable	Variable	Variable	Variable	Constant

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(S. Neeru)

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File No. TLB/AV/014/16

Recordings	Q1	Q2	Q3	Q4	Q5
Technical Specifications					
Bit Rate (in Kbps)	96	89.4	88.6	87.6	256
Number of Channels	Stereo	Mono	Mono	Mono	Stereo
Sampling Rate (in Hz)	44100	44100	44100	44100	48000
Compression Mode	Lossy	Lossy	Lossy	Lossy	Lossy
Stream Size (in %)	15	1	1	1	27

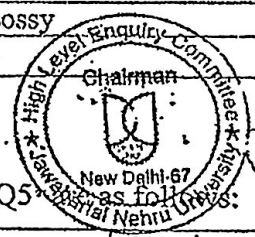
The technical specifications of the audio coding used in the recordings 'Q6' to 'Q8' are as follows:

Recordings	Q6	Q7	Q8
Technical Specifications			
Format and encoding	Advanced Audio Codec LC format with codec ID 40	Advanced Audio Codec LC format with codec ID 40	Advanced Audio Codec LC format with codec ID 40
Bit Rate Mode	Variable	Variable	Variable
Bit Rate (in Kbps)	87.9	96	256
Number of Channels	Mono	Stereo	Stereo
Sampling Rate (in Hz)	44100	44100	44100
Compression Mode	Lossy	Lossy	Lossy
Stream Size (in %)	1	15	2

**B. Technical specifications of the video coding**

The technical specifications of the video coding used in the recordings 'Q1' to 'Q5' are as follows:

Recordings	Q1	Q2	Q3	Q4	Q5
Technical Specifications					
Format and encoding	Advanced Video Codec (AVC) Baseline@L2.1 with codec ID avc1	Advanced Video Codec (AVC) High@L4.0 with codec ID avc1	Advanced Video Codec (AVC) High@L4.0 with codec ID avc1	Advanced Video Codec (AVC) High@L4.0 with codec ID avc1	Advanced Video Codec Baseline@L2.2 with codec ID avc1
Bit Rate (in Kbps)	525	13100	16900	16900	699
Video Camera Resolution (in pixels)	492 x 360	1920 x 1080	1920 x 1080	1920 x 1080	640 x 350
Display Aspect Ratio	4:3	16:9	16:9	16:9	16:9
Frame Rate Mode	Constant	Variable	Variable	Variable	Constant



(S. Neeru)

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File No. TLB/AV/014/16

Recordings	Q1	Q2	Q3	Q4	Q5
Technical Specifications					
Frame Rate (in frames per second-fps)	25.000	30.000	30.000	30.000	30.308
Colour Space	YUV	YUV	YUV	YUV	YUV
Bit Depth (in bits per pixel)	8	8	8	8	8
Stream Size	84	99	99	99	73

The technical specifications of the video coding used in the recordings 'Q6' to 'Q8' are as follows:

Recordings	Q6	Q7	Q8
Technical Specifications			
Format and encoding	Advance Video Codec (AVC) High@L4 with codec ID avc1	Advance Video Codec (AVC) Baseline@L3 with codec ID avc1	Advance Video Codec (AVC) High@L4.0 with codec ID avc1
Bit Rate (in Kbps)	12600	542	16800
Video Resolution (in pixels)	1920 x 1080	1094 x 640	1920 x 1080
Display Aspect Ratio	16:9	16:9	16:9
Frame Rate Mode	Variable	Constant	Variable
Frame Rate (in frames per second-fps)	30.000	29.970	29.682
Colour Space	YUV	YUV	YUV
Bit Depth (in bits per pixel)	8	8	8
Stream Size	99	85	98

Acoustic Analysis of the Audio

Recording 'Q1'

1. The audio in the recording 'Q1' contained pre-mediated edits, included for the purpose of broadcast. The underlying audio was overlapping with the voice-over audio of the News Reader/narrator. Hence acoustic analysis of such audio recordings would not yield accurate results.



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(S. Neeru)

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File No. TLB/AV/014/16

Recording 'Q2'

1. Several voices are heard in the recording 'Q2'.
2. The recording 'Q2' starts and ends abruptly.
3. A sudden shift in the noise floor was found at 1 Minute 16 Seconds 244 Milliseconds. After this instance a male voice is heard very clearly along with other chorus sounds. The voice heard could be that of the person carrying out the recording.
4. An abrupt change in the pitch and intensity contours between 1 Minute 16 Seconds 251 Milliseconds to 1 Minute 17 Seconds 50 Milliseconds. The screenshot of the same is shown in the figure below (Note: The blue coloured curves indicate the pitch contour while the green coloured curves indicate the pitch contour).

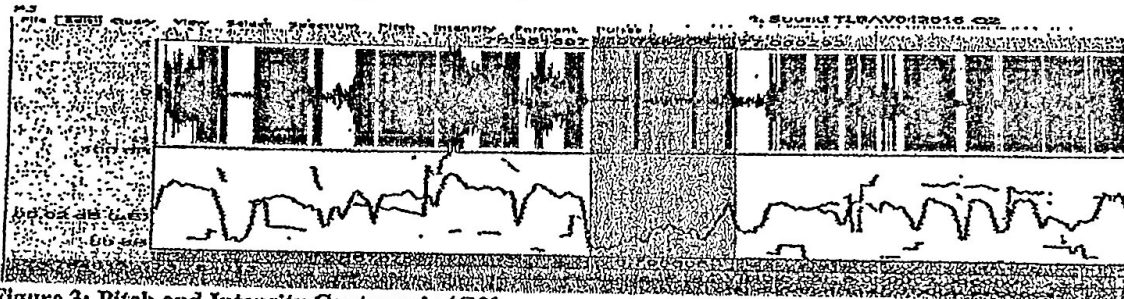


Figure 3: Pitch and Intensity Contours in 'Q2'

5. The portions of recording before and after the abrupt change mentioned in Point (4) did not contain any abrupt change in the pitch and intensity contours.
6. The recording 'Q2' predominantly contained speech in Hindi with some utterances in English.
7. The noise floor of this portion of the recording 'Q2' suggested that the speech could have taken place in gathering.
8. 24.124% of the recording 'Q2' consisted of unvoiced frames and it had a mean noise-to-harmonics ratio of 0.500148.

Recording 'Q3'

1. The recording predominantly contained the voice of a male speaker in addition to other chorus sounds. A voice of another male speaker uttering 'जय माता दी (Jai Mata Di)' is heard from 19 Seconds 165 Milliseconds to 38 Seconds 930 Milliseconds and from 54 Seconds 913 Milliseconds to 1 Minute 16 Seconds 90 Milliseconds.



(S. Veeru)

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Tel : +91-80-4131 0172 Mob : +91-94490 30933, email : info@truthlabs.org, www.truthlabs.org

HEAD OFFICE : 402, Apoorna Towers, Road No. 2, Banjara Hills, Hyderabad - 500 034, TS, INDIA. Tel: +91-40-2339 0999, Fax: +91-40-2339 0888

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2. The utterance 'जय माता दी (Jai Mata Di)' is overlapping with the background chorus sounds and could have been spoken by the person carrying out the recording.
3. Abrupt change in pitch and intensity contour between 37 Seconds 544 Milliseconds to 37 Seconds 776 Milliseconds before the utterance 'एक धक्का और दो (ek dhakka aur do)'. The screenshot of the same is shown in the figure below: (Note: The blue coloured curves indicate the pitch contour while the green coloured curves indicate the pitch contour).

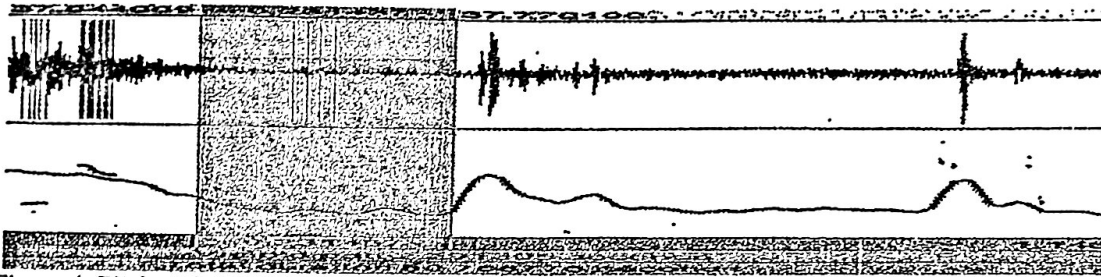


Figure 4: Pitch and Intensity Contours in 'Q3'

4. Abrupt change in pitch and intensity contour between 52 Seconds 467 Milliseconds to 52 Seconds 640 Milliseconds before the utterance 'हम क्या चाहते (hum kya chahte)'. The screenshot of the same is shown in the figure below: (Note: The blue coloured curves indicate the pitch contour while the green coloured curves indicate the pitch contour).

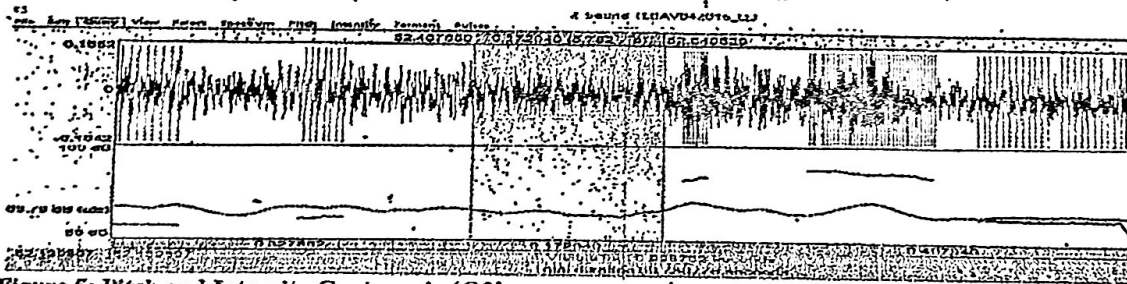


Figure 5: Pitch and Intensity Contours in 'Q3'

5. The noise floor of this portion of the recording 'Q3' suggested that the speech could have taken place in gathering.
6. The recording 'Q3' starts and ends abruptly.
7. 35.047% of the recording 'Q3' consisted of unvoiced frames and the recording had a mean noise-to-harmonics ratio of 0.432957.

  
 Chairman

  
 (S. Veeru)

Bangalore : 8-115, First Floor, South Block, Manjpal Center, Dickenson Road, Bangalore - 560 042.

Tel : +91-80-4131 0172 Mob : +91-94490 30933, email : info@truthlabs.org, truth@truthlabs.org

HEAD OFFICE : 402, Apoorva Towers, Road No. 2, Banjara Hills, Hyderabad - 500 034. TS, INDIA. Tel : +91-40-2339 0999, Fax : +91-40-2339 0888

BRANCHES : Delhi - +91-97117 79779 MUMBAI - +91-98673 94333 Chennai - +91-95660 11665

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File No. TLB/AV/014/16  
Recording 'Q4'

1. Several voices are heard in the recording 'Q4'.
2. The recording 'Q4' starts and ends abruptly.
3. The noise floor of this portion of the recording 'Q4' suggested that the speech could have taken place in gathering.
4. No abrupt changes were found in the pitch and intensity contours of the recording 'Q4'. The screenshot of the same is shown in the figure below: (Note: The blue coloured curves indicate the pitch contour while the green coloured curves indicate the pitch contour).

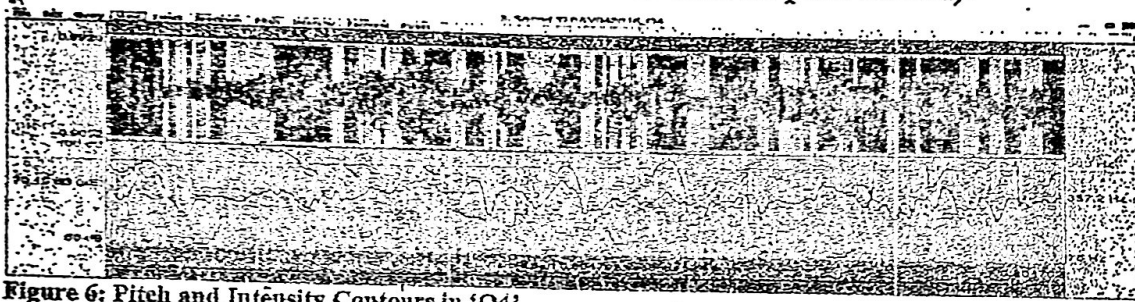


Figure 6: Pitch and Intensity Contours in 'Q4'

5. 21.144% of the recording 'Q4' consisted of unvoiced frames and the recording had a mean noise-to-harmonics ratio of 0.592752.

**Recording 'Q5'**

1. Several voices are heard in the recording 'Q5'. The speech in this recording was in Hindi.
2. The recording 'Q5' starts and end abruptly.
3. The noise floor of this portion of the recording 'Q5' suggested that the speech could have taken place in gathering.
4. 27.349% of the recording 'Q5' consisted of unvoiced frames and the recording had a mean noise-to harmonics ratio of 0.502745.
5. Two male voices are heard overlapping the background chorus sounds at the following instances:



S. Neeraj  
(S. Neeraj)

Bangalore : S-115, First Floor, South Block, Manipal Center, Diokenson Road, Bagalore - 560 042.  
Tel : +91-80-4131 0172 Mob : +91-94490 30933, email : info@truthlabs.org, www.truthlabs.org

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S.No.	Start Time	End Time	Duration	Some of the Utterances heard in the duration	Some of the Utterances heard in the duration (English transliteration)
1.	54 Seconds 819 Milliseconds	1 Minute 6 Seconds 123 Milliseconds	11 Seconds 304 Milliseconds	'इस side में लो. ह्यूं पेड़ के नीचे. पेड़ है ना... तरफ़. इधर हों ठीक है।	Is side mein low. bmm. ped ke neeche hai naa... taraf. idhar haan theek hai
2.	1 Minute 13 Seconds 962 Milliseconds	1 Minute 49 Seconds 539 Milliseconds	35 Seconds 578 Milliseconds	उमर की फोटो आनी चाहिए। हूँ। उमर की फोटो आनी चाहिए। हों। वहाँ से, पीछे पेड़ है ना, किनारे, तू वहाँ से लेले बस। आपको इसको फोटो आनी चाहिए नज़दीक से लो। कोई लड़का... उसको बुलाओ ज़रा	Umar ki photo aani chahiye. hmm. Umar ki photo aani chahiye. haan. vahaan se, peeche ped hai na, kinare tu vahaan se lele bus aap ko iski photo aani chahiye. nazdeek se la. ko laika.. usko bulao zaraa.
3	2 Minutes 8 Seconds- 48 Milliseconds	2 Minutes 51 Seconds-264 Milliseconds	43 Seconds 216 Milliseconds	<utterances are not clear>	<utterances are not clear>

6. The overlapping male voices mentioned in the previous Point (4) could be of the persons carrying out the recording.
7. No abrupt changes were found in the pitch and intensity contours of the recording 'Q5'. The screenshot of the same is shown in the figure below: (Note: The blue coloured curves indicate the pitch contour while the green coloured curves indicate the pitch contour).



*(S. Neeru)*

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File No. TLB/AV/014/16

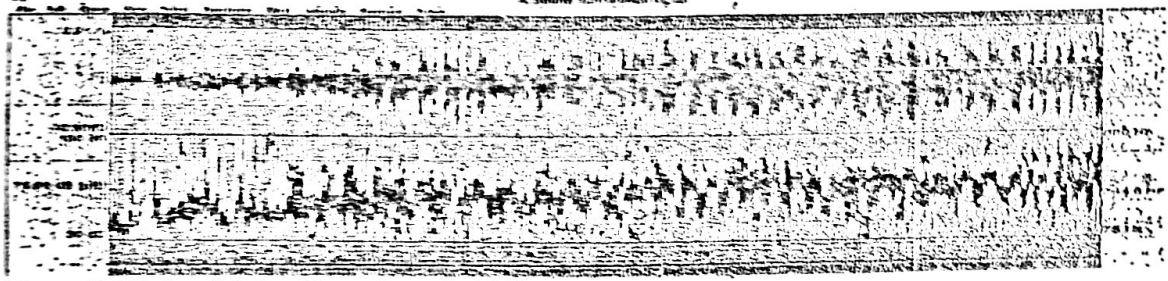


Figure 7: Pitch and Intensity contours in 'Q5'

Recording 'Q6'

1. Several voices are heard in the recording 'Q5'. The speech in this recording was in Hindi with some utterances in English.
2. The recording 'Q6' starts and ends abruptly.
3. The noise floor of this portion of the recording 'Q6' suggested that the speech could have taken place in gathering.
4. 27.349% of the recording 'Q6' consisted of unvoiced frames and the recording had a mean noise-to-harmonics ratio of 0.592745.
5. No abrupt changes were found in the pitch and intensity contours of the recording 'Q6'. The screenshot of the same is shown in the figure below: (Note: The blue coloured curves indicate the pitch contour while the green coloured curves indicate the pitch contour).

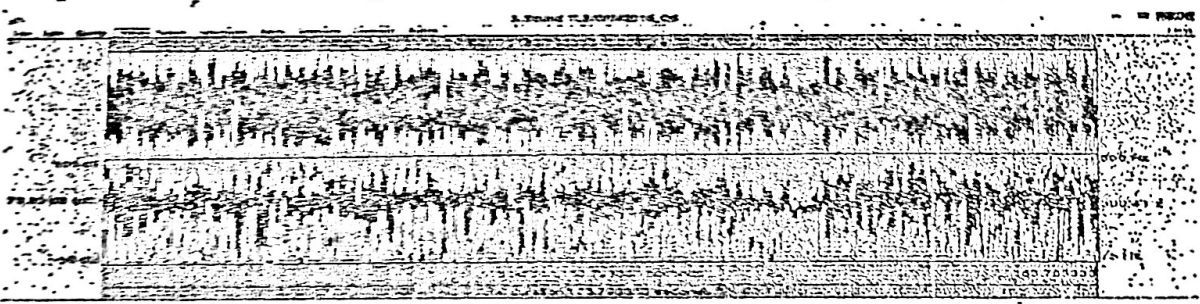


Figure 8: Pitch and Intensity Contour of 'Q5'

6. 18.930% of the recording 'Q6' consisted of unvoiced frames and it had a mean noise-to-harmonics ratio of 0.547061.



(S. Neeru)

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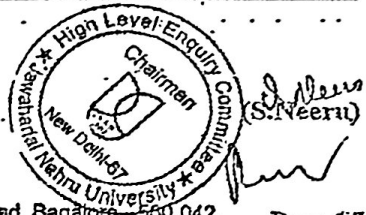


File No. TLB/AV/014/16  
Recording 'Q7'

1. The audio of the recording 'Q7' contained pre-mediated edits, included for the purpose of broadcast. Hence portions containing relevant conversations of the actual event were identified and only these portions were examined. The details of the relevant portions are as follows:

S.No.	Start Time	End Time	Duration	Naming of Portion at Truth Labs
1.	15 Seconds 223 Milliseconds	18 Seconds 703 Milliseconds	3 Seconds 479 Milliseconds	Q7_1
2.	18 Seconds 738 Milliseconds	25 Seconds 233 Milliseconds	6 Seconds 496 Milliseconds	Q7_2
3.	25 Seconds 241 Milliseconds	29 Seconds 110 Milliseconds	3 Seconds 868 Milliseconds	Q7_3
4.	29 Seconds 131 Milliseconds	38 Seconds 686 Milliseconds	9 Seconds 555 Milliseconds	Q7_4
5.	56 Seconds 703 Milliseconds	1 Minute 1 Second 844 Milliseconds	5 Seconds 140 Milliseconds	Q7_5
6.	1 Minute 8 Seconds 981 Milliseconds	1 Minute 16 Seconds 974 Milliseconds	7 Seconds 993 Milliseconds	Q7_6
7.	1 Minute 51 Seconds 498 Milliseconds	1 Minute 54 Seconds 999 Milliseconds	3 Seconds 501 Milliseconds	Q7_7
8.	1 Minute 55 Seconds 131 Milliseconds	2 Minutes 20 Seconds 167 Milliseconds	25 Seconds 36 Milliseconds	Q7_8
9.	2 Minutes 20 Seconds 463 Milliseconds	2 Minutes 24 Seconds 203 Milliseconds	3 Seconds 740 Milliseconds	Q7_9
10.	2 Minutes 36 Seconds 750 Milliseconds	2 Minutes 43 Seconds 746 Milliseconds	6 Seconds 996 Milliseconds	Q7_10
11.	2 Minutes 50 Seconds 233 Milliseconds	2 Minutes 56 Seconds 106 Milliseconds	5 Seconds 873 Milliseconds	Q7_11
12.	3 Minutes 30 Seconds 115 Milliseconds	3 Minutes 34 Seconds 471 Milliseconds	4 Seconds 356 Milliseconds	Q7_12

2. Several voices are heard in the portions 'Q7\_1' to 'Q7\_12'.



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3. The speech in the portions 'Q7\_1' to 'Q7\_12' of the recording 'Q7' were predominantly in Hindi.
4. The noise floor of the portions 'Q7\_1' to 'Q7\_12' suggested that the speech could have taken place in gathering.
5. Overall, 36.477% of the recording 'Q7' consisted of unvoiced frames and had a mean noise-to-harmonics ratio of 0.486968.

#### Recording 'Q8'

1. Several voices are heard in the recording 'Q8'.
2. The recording 'Q8' starts and ends abruptly.
3. A sudden shift in the noise floor was found at 1 Minute 19 Seconds 367 Milliseconds.
4. An abrupt change in the pitch and intensity contours between 1 Minute 19 Seconds 251 Milliseconds to 1 Minute 19 Seconds 318 Milliseconds. The screenshot of the same is shown in the figure below (Note: The blue coloured curves indicate the pitch contour while the green coloured curves indicate the pitch contour).

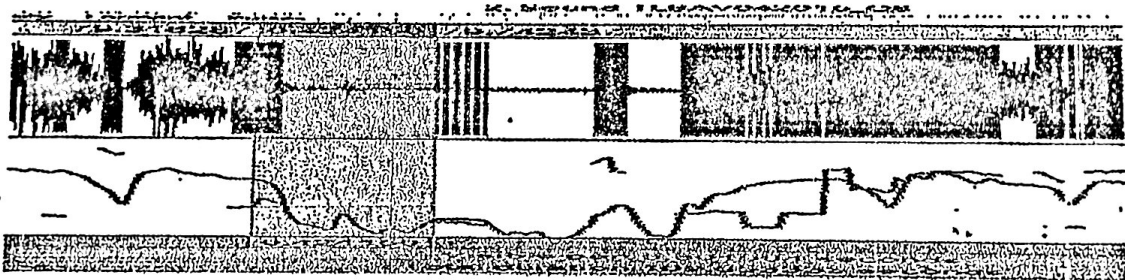


Figure 9: Pitch and Intensity Contours in 'Q8'

5. The portions of recording before and after the abrupt change mentioned in Point (4) did not contain any abrupt change in the pitch and intensity contours.
6. The recording 'Q8' predominantly contained speech in Hindi with some utterances in English.
7. The noise floor of this portion of the recording 'Q8' suggested that the speech could have taken place in gathering.
8. 24.124% of the recording 'Q8' consisted of unvoiced frames and it had a mean noise-to-harmonics ratio of 0.500148.



Bangalore : 8-115, First Floor, South Block, Manjap Center, Dlokenson Road, Bagalore - 560 042.

Tel: +91-80-4131 0172 Mob: +91-94490 30933, email: info@truthlabs.org, www.truthlabs.org

HEAD OFFICE : 402, Apoorva Towers, Road No. 2, Banjara Hills, Hyderabad - 500 034, TS, INDIA. Tel: +91-40-2339 0999, Fax: +91-40-2339 0888

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Audio Authentication

Auditory Analysis

Recording 'Q1'

The audio in the recording, 'Q1' contained pre-mediated edits, included for the purpose of broadcast. The underlying audio was overlapping with the voice-over audio of the News Reader/narrator. Hence authentication analysis of such audio recordings would not yield accurate results.

Recording 'Q2'

A sudden shift in the background noise and noise floor was found at 1 Minute 16 Seconds 244 Milliseconds. After this instance a male voice is heard very clearly along with other chorus sounds. The voice heard could be that of the person carrying out the recording.

Recording 'Q3'

1. The utterance 'जय माता दी (Jai Mata Di)' is overlapping with the background chorus sounds and could have been spoken by the person carrying out the recording.
2. A shift in background noise is found between 37 Seconds 544 Milliseconds before the utterance 'एक धक्का और दो (ek dhakka aur do)' to 52 Seconds 467 Milliseconds to 52 Seconds 640 Milliseconds before the utterance 'हम क्या चाहते (hum kya chahte)'.

Recording 'Q4'

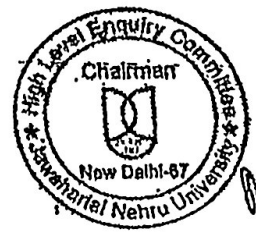
No abrupt changes were found in the tone consistency, background noise, noise floor and fluency in the audio of the recording 'Q4'.

Recording 'Q5'

No abrupt changes were found in the tone consistency, background noise, noise floor and fluency in the audio of the recording 'Q5'.

Recording 'Q6'

No abrupt changes were found in the tone consistency, background noise, noise floor and fluency in the audio of the recording 'Q6'.



(S. Neeru)

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Recording 'Q7'

No abrupt changes were found in the tone consistency, background noise, noise floor and fluency in the audio of the relevant portions 'Q7\_1' to 'Q7\_12' of the recording 'Q7'.

Note: The details of the relevant portions of the recording 'Q7' have been mentioned earlier in the sub-section 'Acoustic Analysis' of the section 'Observations and Findings' of this report.

Recording 'Q8'

A sudden shift in the background noise and noise floor was found at 1 Minute 19 Seconds 367 Milliseconds before the utterance 'कशमीर (kashmir)'.

Waveform and Spectrographic Analysis

Recording 'Q1'

The audio in the recording 'Q1' contained pre-mediated edits, included for the purpose of broadcast. The underlying audio, was overlapping with the voice-over audio of the News Reader/narrator. Hence waveform and spectrographic analysis of such audio recordings would not yield accurate results.

Recording 'Q2'

1. An abrupt change in the waveform and spectrogram was found between 1 Minute 16 Seconds 941 Milliseconds to 1 Minute 16 Seconds 943 Milliseconds before the utterance 'कशमीर (kashmir)'. The screenshot of the edit signature is shown in the figure below

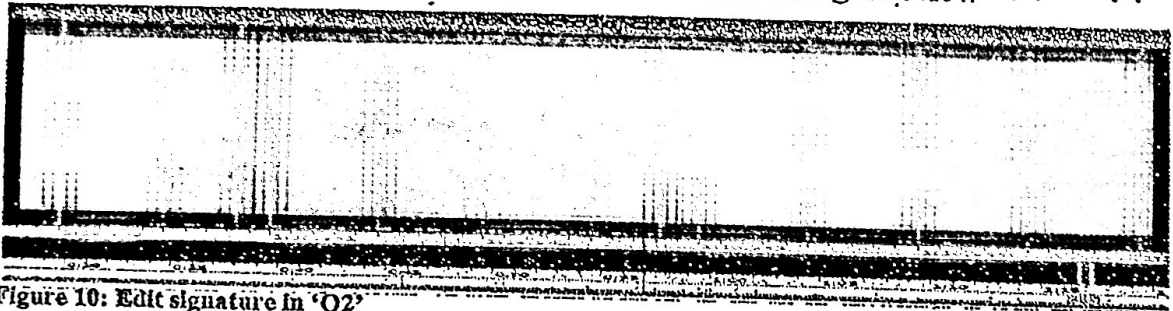
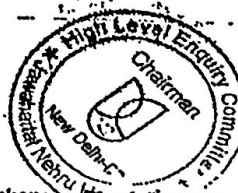


Figure 10: Edit signature in 'Q2'

The above edit signature indicates that the portion of recording starting with the utterance 'कशमीर (kashmir)' has been inserted in the recording 'Q2'.



(S. Neeru)

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HEAD OFFICE : 402, Apoorva Towers, Road No. 2, Banjara Hills, Hyderabad - 500 034. TS, INDIA. Tel: +91-40-2339 0999, Fax: +91-40-2339 0888  
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File No. TLB/AV/014/16

Recording 'Q7'

No abrupt changes were found in the tone consistency, background noise, noise floor and frequency in the audio of the relevant portions 'Q7\_1' to 'Q7\_12' of the recording 'Q7'.

Note: The details of the relevant portions of the recording 'Q7' have been mentioned earlier in the sub-section 'Acoustic Analysis' of the section 'Observations and Findings' of this report.

Recording 'Q8'

A sudden shift in the background noise and noise floor was found at 1 Minute 19 Seconds 367 Milliseconds before the utterance 'कशमीर (kashmir)'.

Waveform and Spectrographic Analysis

Recording 'Q1'

The audio in the recording 'Q1' contained pre-mediated edits, included for the purpose of broadcast. The underlying audio, was overlapping with the voice-over audio of the News Reader/narrator. Hence waveform and spectrographic analysis of such audio recordings would not yield accurate results.

Recording 'Q2'

1. An abrupt change in the waveform and spectrogram was found between 1 Minute 16 Seconds 941 Milliseconds to 1 Minute 16 Seconds 943 Milliseconds before the utterance 'कशमीर (kashmir)'. The screenshot of the edit signature is shown in the figure below

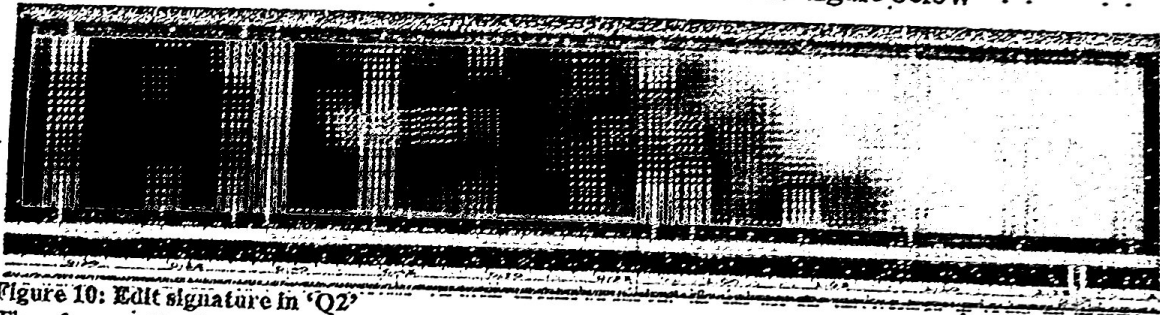


Figure 10: Edit signature in 'Q2'

The above edit signature indicates that the portion of recording starting with the utterance 'कशमीर (kashmir)' has been inserted in the recording 'Q2'.



(S. Veeru)

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48



File No. TL/AV/014/16

- 2. The portions of recording before and after the abrupt change mentioned in Point (2) did not contain any abrupt change in the pitch and intensity contours suggesting that two recordings could have been joined at the instance where the edit signature is listed in Point (2).

**Recording 'Q3'**

- 1. Abrupt change in waveform and spectrogram was found at 37 Seconds 799 Milliseconds before the utterance 'एक धक्का और दो (ek dhakka aur do)'. The screenshot of the edit signature is shown in the figure below:

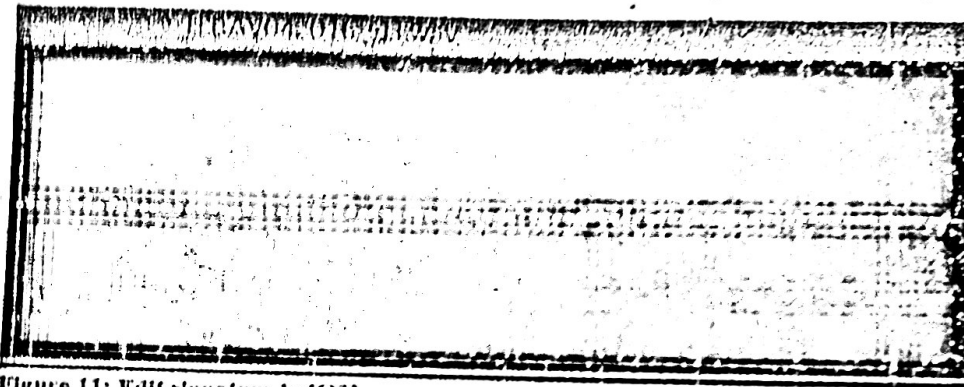


Figure 11: Edit signature in 'Q3'

- 2. Abrupt change in waveform and spectrogram was found between 52 Seconds 652 Milliseconds and 52 Seconds 655 Milliseconds before the utterance 'एक धक्का और दो (ek dhakka aur do)'. The screenshot of the edit signature is shown in the figure below:

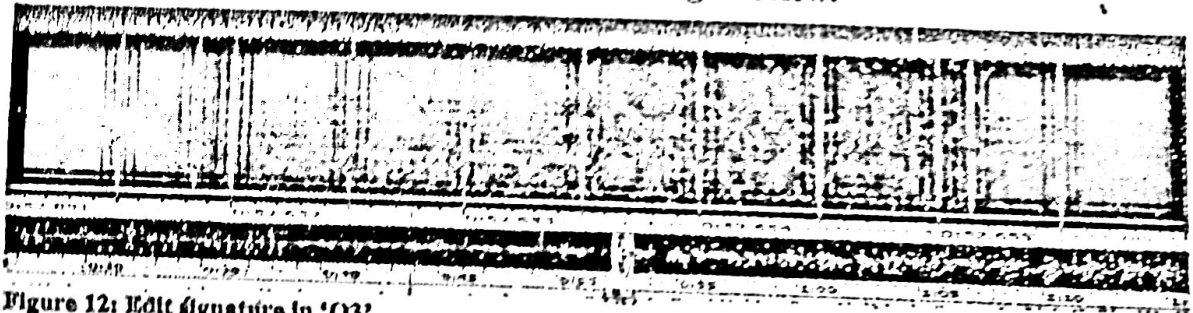


Figure 12: Edit signature in 'Q3'

- 3. The edit signatures listed in Point (1) and Point (2) suggest that the portion of recording from 37 Seconds 799 Milliseconds to 52 Seconds 655 Milliseconds could have been inserted into the recording 'Q3'.



(S. Neeraj)

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49



File No. TLB/AV/014/16

Recording 'Q4'

No abrupt changes were found in the time-domain waveform and spectrogram of the electronic signals of the audio of the recording 'Q4'.

Recording 'Q5'

No abrupt changes were found in the time-domain waveform and spectrogram of the electronic signals of the audio of the recording 'Q5'.

Recording 'Q6'

No abrupt changes were found in the time-domain waveform and spectrogram of the electronic signals of the audio of the recording 'Q6'.

Recording 'Q7'

No abrupt changes were found in the time-domain waveform and spectrogram of the electronic signals of the audio of the relevant portions 'Q7\_1' to 'Q7\_12' of the recording 'Q7'.

Note: The details of the relevant portions of the recording 'Q7', have been mentioned earlier in the sub-section 'Acoustic Analysis' of the section 'Observations and Findings' of this report.

Recording 'Q8'

1. An abrupt change in the waveform and spectrogram was found at 1 Minute 19 Seconds 427 Milliseconds before the utterance 'कशमीर (kashmir)'. The screenshot of the edit signature is shown in the figure below:

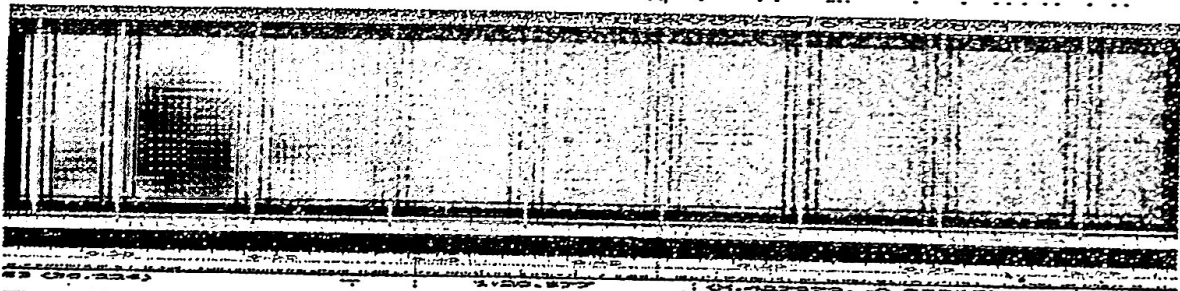
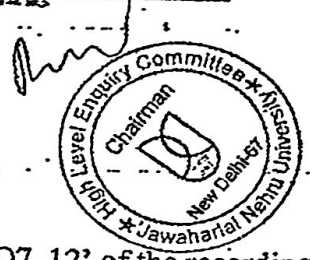


Figure.13: Edit signature in 'Q8'

Video Authentication

Visual Examination

1. Several persons are seen in the recordings 'Q2' to 'Q6' and 'Q8'.
2. Several persons are seen in the recording 'Q1' and the portions 'Q7\_1' to 'Q7\_12' of the recording 'Q7' respectively.



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Handwritten signature/initials

50



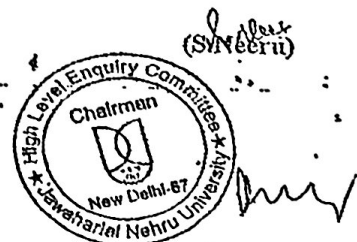
File No. TLB/AV/014/16.

*Frame-by-Frame Analysis*

1. No signs of temporal and spatial frame distortions were found in the video of the recordings 'Q2' to 'Q6' and 'Q8'.
2. The video in the recording 'Q1' and the portions 'Q7\_1' to 'Q7\_12' of the recording 'Q7' contained pre-mediated edits, included for the purpose of broadcast and hence sequential frame distortions (temporal editing) were found in these recording/portions.

**INFERENCES**

1. The audio of the recording 'Q1' contained pre-mediated edits, included for the purpose of broadcast.
2. Abrupt changes in the pitch & intensity contours, waveforms and spectrograms were found in the audio of the recordings 'Q2', 'Q3' and 'Q8'. The nature of the edit signatures seen in these recordings indicate that the audio in each of these recordings have been made by joining two recordings.
3. No abrupt changes were found in the pitch & intensity contours, waveforms and spectrograms of the audio of the recordings 'Q4' to 'Q6'.
4. No abrupt changes were found in the pitch & intensity contours, waveforms and spectrograms of audio of the relevant portion of the recording 'Q7'
5. The video of the recordings 'Q1' and 'Q7' contained temporal edits (sequential distortions) included for the purpose of broadcast, however no spatial distortions were found in these recordings.
6. No Temporal and spatial edits were found in the video of the recordings 'Q2' to 'Q8'.
7. The fact that the video of the recordings 'Q2', 'Q3' and 'Q8' did not contain any signs of editing, however edit signatures were found in the audio of these recordings, suggest that the audio and video could have been recorded from different sources or using devices and then merged at a later point of time.



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**INDIA'S FIRST INDEPENDENT FORENSIC SCIENCE LABORATORY ISO 9001 CERTIFIED**

7.5

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File No. TLB/AV/014/16

OPINION

Based on the above examinations, observations and findings, it is opined that:

1. The audio and video of the recording 'Q1' contained pre-mediated edits, included for the purpose of broadcast.
2. The audio recordings 'Q2', 'Q3' and 'Q8' contained edit signatures, indicating the merging of two audio recordings, however the video of these recordings did not contain any edits indicating that the video and audio streams could have been recorded from different sources/devices and then merged in order to make these recordings appear as a single continuously recorded audio-video recording.
3. No signs of editing were found in the audio and video of the recordings 'Q4' to 'Q6'. Hence it is concluded that these recordings are continuous, authentic and represent true events.
4. The recording 'Q7' contained pre-mediated edits, included for the purpose of broadcast. However the relevant portions of these recordings did not contain any signs of editing indicating that this recording is a combination of segments of recording(s) representing true events.
5. Hence it is concluded that the recordings 'Q4' to 'Q6' contained in the DVD-R marked 'Item-1' are authentic recordings and represent true events. The recordings 'Q1' and 'Q7' contained in the DVD-R marked 'Item-1' are pre-edited recordings created for the purpose of broadcast. The recordings 'Q2', 'Q3' and 'Q8' contained in the DVD-R are not continuous, authentic and are not complete representation of a true event.
6. The audio of the recordings 'Q1' to 'Q8' contained overlapping extraneous and electronic noise and hence very high level of clarity required for scripting could not be achieved. Hence scripting was not done for these recordings.

(S. Neeru)

Assistant Director  
(Cyber & Audio Video Forensics)  
Truth Labs, Bengaluru



7.2

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# ANNEXURE- F



## जवाहरलाल नेहरू विश्वविद्यालय JAWAHARLAL NEHRU UNIVERSITY OFFICE OF THE CHIEF PROCTOR New Delhi-110 067

February 12, 2016

CPO/DPD/JNU/2016/

### OFFICE ORDER NO. 115/CP/2016

Based on the report submitted by the Chief Security Officer, video clipping of the events and other related documents, the High Level Enquiry Committee, constituted by the Vice-Chancellor, JNU, is of the opinion that prima facie evidence of the occurrence of the following offences exists :-

- (i) Misrepresentation of the proposed event as a cultural evening although the objective was to hold a political meeting.
- (ii) Forcefully holding the event even when the permission to hold it was withdrawn by the JOS.
- (iii) Creating a law and order situation on campus both at Sabarmati Hostel and Ganga Dhaba.
- (iv) Shouting unconstitutional slogans, and making derogatory remarks about the nation.

Prima facie, the Enquiry Committee finds the following individuals to be involved in one or more of the aforesaid offences :-

- |                               |  |
|-------------------------------|--|
| (i) Syed Umar Khalid          | (CHS/SSS & r/o 168, Tapti Hostel)            |
| (ii) Mr. Anirban Bhattacharya | (CHS/SSS & r/o 226E Brahmaputra Hostel)      |
| (iii) Mr. Ashutosh Kumar      | (CR&CAS/SIS & r/o 34, Kaveri Hostel)         |
| (iv) Mr. Rama Naga            | (CPS/SSS & r/o. 209, Mandavi Hostel)         |
| (v) Mr. Anant Prakash Narayan | (CSLG & R/O. 11, Lohit Hostel)               |
| (vi) Mr. Kanhaiya Kumar       | (CAS/SIS & r/o. 123, Old Brahmaputra Hostel) |
| (vii) Ms. Aishwarya Adhikari  | (SIS & r/o. 317, Shipra Hostel)              |
| (viii) Ms. Shweta Raj         | (CIL/SLL&CS & r/o. 320, Shipra Hostel)       |

Considering the seriousness of the offences, and in order to enable a fair enquiry into the incident, the Enquiry Committee has recommended that the above-mentioned students may be academically suspended from JNU with immediate effect during the pendency of the enquiry. However, they will be allowed to stay in their respective hostels, as a guest during the period of the enquiry.

This has the approval of the Vice-Chancellor.

*Krishan Kumar*  
**CHIEF PROCTOR**

- CC: Deans of Schools  
Dean of Students  
All Chairpersons of Centres  
All Provoests, All St. Wardens  
Controller of Examinations, Librarian, CMO, Dy Director (Sport), EOO  
DR (Admissions), DFO (S&P), Chief Security Officer, PRO, GSCASH, A.R (Legal Cell)  
Registrar, Finance Officer, Vice-Chancellor/Rector- I & II, Director, CIS - for information

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**ANNEXURE - 9** 53

अती आवश्यक  
MOST URGENT



जवाहरलाल नेहरू विश्वविद्यालय  
**JAWAHARLAL NEHRU UNIVERSITY**  
New Delhi-110 067

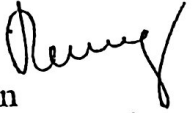
HLEC/JNU/2016/ 1963,64

February 12, 2016

An incident that took place on 9th February, 2016 near Sabarmati and Ganga Hostel is being investigated by the High Level Enquiry Committee, JNU.

**You are directed to appear before the Enquiry Committee on 15th February, 2016 at 3.00 pm in Room No. 108, Administrative Building, JNU, New Delhi to explain your position in this regard. You may also bring any evidence, which you wish to submit in support of your defence.**

Upon failing to present yourself on the date and time appointed for the hearing, it shall be presumed that you have nothing to say in this matter. In such circumstances, the matter will be decided in your absence.

  
Chairman  
High Level Enquiry Committee

Ms Aishwarya Adhikari  
Room No. 317  
C/o Senior Warden  
Shipra Hostel/JNU

Ms Aishwarya Adhikari  
M.A student  
C/o Chairperson  
SIS/JNU

Ms Aishwarya Adhikari  
Flat No. A1, Block-8;  
S.B.I Housing Complex, 347.328,  
Banerjee Para Road, Kolkata  
West Bengal - 700041

ANNEXURE H 54

जवाहरलाल नेहरू विश्वविद्यालय  
JAWAHARLAL NEHRU UNIVERSITY  
New Delhi-110 067



SECOND NOTICE

February 16, 2016

HLEC/JNU/2016/2069, 70

An incident that took place on 9th February, 2016 near Sabarmati and Ganga Hostel is being investigated by the High Level Enquiry Committee, JNU.

**You are directed to appear before the Enquiry Committee on 18<sup>th</sup> February, 2016 at 3.00 pm in Room No. 108, Administrative Building, JNU, New Delhi to explain your position in this regard. You may also bring any evidence, which you wish to submit in support of your defence.**

Upon failing to present yourself on the date and time appointed for the hearing, it shall be presumed that you have nothing to say in this matter. In such circumstances, the matter will be decided in your absence.

Chairman  
High Level Enquiry Committee

Ms Aishwarya Adhikari  
Room No. 317  
C/o Senior Warden  
Shipra Hostel/JNU

Ms Aishwarya Adhikari  
M.A student  
C/o Chairperson  
SIS/JNU

Ms Aishwarya Adhikari  
Flat No. A1, Block-8,  
S.B.I Housing Complex, 347.328,  
Banerjee Para Road, Kolkata  
West Bengal - 700041

 Gmail

Chief Proctor <chiefproctorjnu@gmail.com>

**Second Notice - call letter**

2 messages

Chief Proctor <chiefproctorjnu@gmail.com>

To: Aishwarya Adhikari <adhikari.aishwarya@gmail.com>, aishwa43\_isk@jnu.ac.in

Tue, Feb 16, 2016 at 6:30 PM

**SECOND NOTICE**

HLEC/JNU/2016/

February 16, 2016

An incident that took place on 9th February, 2016 near Sabarmati and Ganga Hostel is being investigated by the High Level Enquiry Committee, JNU.

You are directed to appear before the Enquiry Committee on 18<sup>th</sup> February, 2016 at 3.00 pm in Room No. 108, Administrative Building, JNU, New Delhi to explain your position in this regard. You may also bring any evidence, which you wish to submit in support of your defence.

Upon failing to present yourself on the date and time appointed for the hearing, it shall be presumed that you have nothing to say in this matter. In such circumstances, the matter will be decided in your absence.

Chairman

High Level Enquiry Committee

Ms Aishwarya Adhikari  
Room No. 317  
C/o Senior Warden  
Shipra Hostel/JNU

Ms Aishwarya Adhikari  
M.A student  
C/o Chairperson  
SIS/JNU

Ms Aishwarya Adhikari

ANNEXURE - I

56

जवाहरलाल नेहरू विश्वविद्यालय  
JAWAHARLAL NEHRU UNIVERSITY  
New Delhi-110 067



THIRD NOTICE

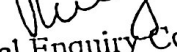
February 18, 2016

HLEC/JNU/2016/2136, 57-58

An incident that took place on 9th February, 2016 near Sabarmati and Ganga Hostel is being investigated by the High Level Enquiry Committee, JNU.

You are directed to appear before the Enquiry Committee on 26<sup>th</sup> February, 2016 at 11.00 a.m. in Room No. 108, Administrative Building, JNU, New Delhi to explain your position in this regard. You may also bring any evidence, which you wish to submit in support of your defence.

Upon failing to present yourself on the date and time appointed for the hearing, it shall be presumed that you have nothing to say in this matter. In such circumstances, the matter will be decided in your absence.

Chairman   
High Level Enquiry Committee

Ms Aishwarya Adhikari  
Room No. 317  
C/o Senior Warden  
Shipra Hostel/JNU

Ms Aishwarya Adhikari  
M.A student  
C/o Chairperson  
SIS/JNU

Ms Aishwarya Adhikari  
Flat No. A1, Block-8,  
S.B.I Housing Complex, 347.328,  
Banerjee Para Road, Kolkata  
West Bengal - 700041



जवाहरलाल नेहरू विश्वविद्यालय  
JAWAHARLAL NEHRU UNIVERSITY  
OFFICE OF THE CHIEF PROCTOR  
New Delhi-110 067

57

19-2, 2016

CPO/2015/

The Deputy Registrar (Admin.)  
(Central Despatch)  
JNU.

Dear Sir,

Enclosed herewith please find the following letters from this office which are to be posted through the Central Despatch of the University. The necessary details are given below:-

Sl. No	Despatch/ Dairy No. and date	Addressee(s)	Brief Subject	General/Regd./Speed post/ By Hand
5)	2135-19-2-16	Mr. Kakhniya Kumar vill + Po - Bihat Tola - Masandpur PS - Barani Begusari, Bihar		
4)	2134-19-2-16	Anant Prakash Prasad D/o Sri Prakash Prasad vill - Aojikalan Po - Kheraugh, Vaya-Chakia		
6)	2136-19-2-16	Ms. Ashwarya Adhikari Flat no - A1, Block - 8 SBI - Housing Complex, 347378 Kolkata - (WB) - 71		
7)	2137-19-2-16	Ms. Shweta Raj D/o R.K. Sharma 14, Ram Mandir Mohalla Chanderli - UP		

It is also certified that all the above mentioned letters are official.

PA to Chief Proctor  
OFFICE OF THE CHIEF PROCTOR  
जवाहरलाल नेहरू विश्वविद्यालय  
Jawaharlal Nehru University  
नई दिल्ली-110067/New Delhi-1100

ANNEXURE - J (copy)



जवाहरलाल नेहरू विश्वविद्यालय  
नई दिल्ली-११००६७  
JAWAHARLAL NEHRU UNIVERSITY  
NEW DELHI-110067

58

Confidential

February 22, 2016

No. Reg./2016/558

Shri R.K. Bhatnagar  
Chairman  
High Level Enquiry Committee  
JNU


Dear Sir,

Please refer to your letter No. HLEC/JNU/2016/2238 dated 22<sup>nd</sup> February, 2016 addressed to Vice-Chancellor requesting one week extension to submit the recommendations on the incident took place on 09.02.2016 near Sabarmati and Ganga Hostel.

This is to inform you that the Vice-Chancellor has approved the extension of one week i.e. upto March 03, 2016 to submit the recommendations of the Committee.

Thanking you,

Yours faithfully,

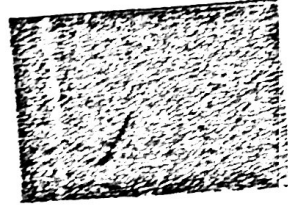
  
(Bupinder Zutshi)

Registrar

CC: Chief Security Officer, JNU  
OSD to VC, JNU

३८

Jawaharlal Nehru University  
New Delhi-110067



February 23, 2016

No. Reg./2016/ 61

**NOTIFICATION**

The Vice-Chancellor has approved that the High Level Enquiry Committee constituted to enquire into the incident of 09.02.2016 on JNU Campus, may co-opt following two members to help the Committee in conducting the enquiry:

1. Prof. G.J.V. Prasad  
Centre for English Studies -  
School of Language, Literature & Culture Studies  
JNU
2. Prof. Ummu Salma Bava  
Centre for European Studies  
School of International Studies  
JNU

  
(Bupinder Zutshi)  
Registrar

✓ Prof. Rakesh Bhatnagar  
Chairperson, High Level Enquiry Committee

Copy to:

1. Prof. GJV Prasad, CES/SLL&CS, JNU
2. Prof. Ummu Salma Bava, CES, SIS, JNU



→ 2670-4384

**ANNEXURE-15** (60)

**M Gmail**

Chief Proctor <chiefproctorjnu@gmail.com>

**Call letter on 29.02.2016**

2 messages

Chief Proctor <chiefproctorjnu@gmail.com>

To: aishwa43\_isk@jnu.ac.in, Aishwarya Adhikari <adhikari.aishwarya@gmail.com>

Fri, Feb 26, 2016 at 6:16 PM

February 26, 2016

HLEC/JNU/2016/

This is in continuation with our earlier notices sent to you. The expanded Committee would like to meet you on **29<sup>th</sup> February, 2016 at 3.00 pm in Room No. 108, Administrative Block**, and get your statement. Please note that the temporary suspension from academic activity is only during the pendency of the enquiry which will be over on 3<sup>rd</sup> March, 2016 and the Committee does not presume any one guilty. This is the last opportunity for you to meet with the Committee and please do so without any apprehension.

Prof. Rakesh Bhatnagar

Chairman

High Level Enquiry Committee

**Members**

Prof. H.B. Bohidar

Prof. Suman K. Dhar

Prof. Ummu Salma Bava

ANNEXURE - L

(61)

Date: 26 February, 2016.

To,

The High Level Enquiry Committee,

Dear Sir/Madam,

I have received three email communications from the High Level Enquiry Committee Nos. HLEC/JNU/2016/1963,64 (dated February 12, 2016), HLEC/JNU/2016/2069,70 (dated February 16, 2016) and HLEC/JNU/2016/2136,57-58 (dated February 18, 2016) asking me to appear on 16 February, 18 February and 26 February, respectively, before a High Level Enquiry Committee to explain my position on 'an incident that took place on 9th February, 2016 near Sabarmati and Ganga Hostel.'

I have not been told exactly why, by the Office Order 115/CP/2016, I have been "academically suspended from JNU with immediate effect during the pendency of the enquiry." I have been a student in this University for a long time and am also currently the elected student representative of the GSCASH. I cannot imagine such an extreme step being taken by my university without so much as informing me of the proceedings.

Most importantly, in the circumstances following the 9th of February an extremely volatile situation has been created both inside and outside the campus which has resulted in extreme mental and physical stress for me. The recent events of the JNUSU President being attacked inside the Patiala House Courts while being under police custody and police protection have only increased the stress levels for me. Due to the media trial of JNU and JNU students I feel insecure because the prevailing atmosphere in JNU, the city, and indeed the country is not conducive to a proper and fair investigation, making depositions and statements without fear impossible. I would therefore request the University to first restore normalcy inside campus and instill confidence within students, staff and faculty members, before proceeding with the enquiry.

It appears that the day the Home Minister of our country gave statements about "stringent action", the JNUSU President was apprehended from campus and eight students were



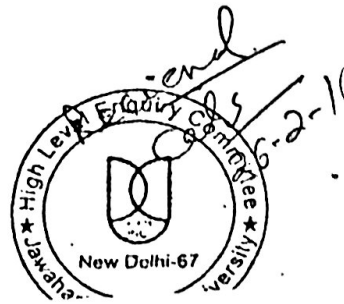
"academically suspended", raising doubts over whether the functioning of this committee is entirely free from external pressures. I am also particularly worried that the statements by University officials to the media already seem to have prejudged the outcome of your enquiry and have termed the event of 9 February 2016 as "anti-national" before the enquiry is complete.

I have received no official communication with regards to the composition of the Committee: Who are its members? What are its terms of reference? Under what statute, rule or ordinance have I been "academically suspended from JNU with immediate effect during the pendency of the enquiry."

The principles of natural justice entail that I should be given full opportunity to appreciate the charges against me, who my accusers are, what is the specific nature and substance of complaint(s) against me, and the material evidence on which such charges are based. None of this has been provided/afforded to me in the Office Order 115/CP/2016. The principles of natural justice also enable me full opportunity to present my case, have witnesses examined by the Enquiry Committee, and to cross-examine the witnesses who have accused and/or deposed against me. Again, while your letter tells me that I may supply evidence in my defense; your letter does not guarantee me these basic rights.

Your letter dated 18 February 2016 informs me that if I do not appear before this enquiry committee on 26<sup>th</sup> February 2016, the matter shall be decided in my absence. I would like to state that I am willing to cooperate with any enquiry committee provided the concerns I have listed (which accrue to me as a citizen of this nation) in this letter are addressed. I sincerely request you to provide me the information I seek, and explicitly put into place the unequivocal guarantee of the principles of natural justice, after which I shall cooperate fully with an impartial, unbiased enquiry.

In the interim, I would like to submit a short statement on the charges levelled against me in the Office Order 115/CP/2016. It is not clear as to which of the offences apply to me or how you have arrived at the prima facie evidence of my guilt, so my statement cannot, and is not, my full deposition on any of these charges. Please treat this as a preliminary statement therefore and give me further opportunity to depose once my concerns are addressed:



(63)

**Charge 1: Misrepresentation of the proposed event as a cultural evening although the objective was to hold a public meeting.**

I, Aishwarya Adhikari, was not an organizer of the event, and had no conversation with any official of the university or any other person about the nature, content, and subject matter of this event.

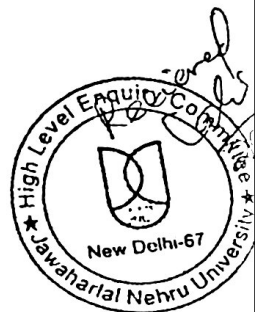
**Charge 2: Forcefully holding the event when the permission to hold it was withdrawn by the DOS.**

I, Aishwarya Adhikari, was not an organizer of the event, and had no part in "forcefully holding the event." I did participate in the event as part of the audience and agreed with many other students and organizations that the administration had cancelled the event barely minutes before it was scheduled to start because of the complaint made by the ABVP. As an elected students' representative it is my opinion that in any such matter of dispute, the JNU Administration must continue the consultative practice of involving wider sections of the student and teaching community for resolution, rather than acting in haste, and certainly before involving the Police on the basis of objections raised by an interested and politically motivated party like the ABVP.

**Charge 3: Creating a law and order situation on campus both at the Sabarmati hostel and Ganga Dhaba.**

As a representative of the GSCASH, my presence in the Dhabas is routine. Far from creating a law and order situation, my presence there enabled me to resolve a situation that created a law and order problem. I saw near the Godavari bus stop that a woman student was having an altercation with a group of students led by Saurabh Sharma and Gaurav Kumar Jha. The woman student alleged that she was inappropriately manhandled by them a while ago. I went to Ganga Dhaba at the request of that woman student to receive a complainant to GSCASH regarding that incident.

**Charge 4: Shouting unconstitutional slogans and making derogatory remarks about the nation.**



(64)

I would like to make it very clear that I, as well as the organization that I belong to, the Democratic Students' Federation, strongly condemn the anti-constitutional slogans that were raised. I categorically state that I did not initiate or respond to any such slogans during the event.

There was an unfamiliar group within the larger gathering at the Sabarmati Dhaba on 9<sup>th</sup> February. I have never seen any of those participants within JNU and I suspect that they are not students of our university. Many of them had their faces covered. This group seemed to be pursuing its own agenda within the gathering of students, raising unfamiliar and disturbing slogans causing surprise and unease within the general gathering. I don't think any of the JNU students present there responded to their slogans.

The slogans that were raised by the JNU students present in the Sabarmati Dhaba were familiar ones against oppression and injustice, which have been raised in many protest events in the past. I did not initiate any slogans on that day but responded to the familiar slogans like many other students:

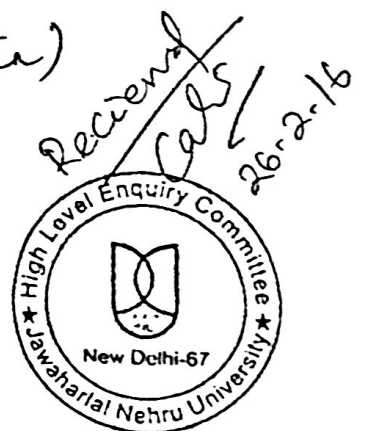
As I have stated before, since I have no clarity on the exact charges and purported evidence against me, please treat this to be an initial statement. Once you provide me with all the information and guarantees, I have requested in this letter, I would like to make an oral and written statement responding to both the material evidence and depositions against me.

Aishwarya Adhikari  
(Aishwarya Adhikari)

MA, SIS JNU. (Second year, 4<sup>th</sup> semester)

Room No. 317, Shipra Hostel.

Ph. - 9717285683.



ANNEXURE- M (65)

Date: 29 February, 2016

To,

The High Level Enquiry Committee,

Dear Sir/Madam,

I am in receipt of your communication No. HLEC/JNU/2016/2505 dated February 26, 2016, giving me a final chance to depose before you on February 29, 2016. As I had mentioned in my earlier response, I am willing to cooperate with a fair, unbiased enquiry in accordance with the principles of natural justice. However, none of the substantive points that I had raised in my earlier letter to you dated 26 February, 2016 have been addressed. I reiterate that I am willing to make my statement and cooperate with any fair, unbiased enquiry that observes due process. I will be able to appear for a deposition before the HLEC when:

- i. I am provided with the Terms of Reference of the committee.
- ii. I am provided an assurance that the HLEC will start a fresh enquiry and that its proceedings hereafter will not be a continuation of the previously biased process, which had started with the summary suspension of eight students including me, even before we were heard by the committee.
- iii. The Office Order 115/CP/2016 is revoked, as it was based on an arbitrary and one-sided process of identification of students, driven by external pressure.
- iv. I am provided a list of all charges applicable specifically to me, as well as all complaints, evidence, and other submissions against me.

I also note with concern that the HLEC has given me a final chance for deposition, which implies that I would have no opportunity to examine the evidence against me or cross-examine the person(s) who have complained against me and the witnesses he/she/they have presented. I hope the HLEC will extend these basic rights to me and schedule further meetings for these purposes.

I would like to further state that the arrest of the JNUSU President and other students by the police and their continued incarceration have vitiated the environment, both inside and outside the university. The students who have been arrested so far are also the ones who have been summarily suspended by the university, ostensibly following the recommendation of the HL

(66)

The Union HRD Minister has already named the students who have been suspended by the university, including me, on the floor of parliament. Given this backdrop, it is difficult to perceive the proceedings of the HLEC as an unbiased process, free from external interference. It rather seems that the outcome of the enquiry process has been pre-decided.

It is painful for me, as someone who was neither an organizer of the 9<sup>th</sup> February programme nor involved in any illegal or unconstitutional activity, to suffer this treatment meted out by the University and the government.

I request you to start a fresh enquiry in an unbiased and fair manner, with which I am willing to cooperate.

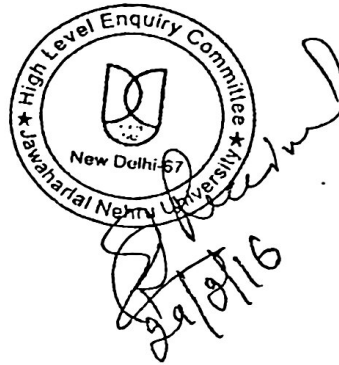
Yours truly,

*Aishwarya Adhikari.*  
Aishwarya Adhikari.

M.A (IInd year, Fourth Semester) SIS, JNU.

Room No. 317, Shipra Hostel

Ph no- 9717285683



ANNEXURE-N

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JAWAHARLAL NEHRU UNIVERSITY  
OFFICE OF THE REGISTRAR

File No. Misc./Reg./2016

March 04, 2016

NOTIFICATION

On the request of the High Level Enquiry Committee constituted to enquire the incident of 09.02.2016 on JNU Campus, the Vice-Chancellor has further extended the term of the Enquiry Committee till March 11, 2016.

  
S.P. SINGH 4/3/16  
OFFICIATING REGISTRAR

To

Prof. Rakesh Bhatnagar, Chairperson, High Level Enquiry Committee  
Prof. H.B. Bohidar, Member  
Prof. Suman K. Dhar, Member  
Prof. GJV Prasad, Member  
Prof. Ummu Salma Bava, Member

CC:

Chief Security Officer, JNU  
OSD to V.C. JNU



ANNEXURE-0 (60)

JAWAHARLAL NEHRU UNIVERSITY  
OFFICE OF THE CHIEF PROCTOR  
New Delhi - 110 067

14 Mar 2016

SHOW CAUSE NOTICE

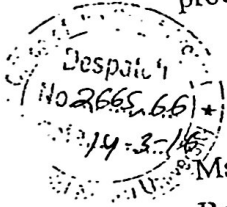
As per the High Level Enquiry Committee findings, you (Ms. Aishwara Adhikari, Registration Number: 1984, Enrolment No: 14/40/HI/112, Year of Admission: 2014, M. A. Student, School of International Studies, JNU, New Delhi) have been found guilty on the following account under the Clause 3, Category II of Rules and discipline and proper conduct of students of JNU.

(xxv) Any other act which may be considered by the VC or any other competent authority to be an act of violation of discipline and conduct

during the incident which took place on 09 Feb 2016 in the JNU campus. You are hereby asked to explain why disciplinary action should not be initiated against you for indulging in the above act.

Your reply must reach the Chief Proctor's Office latest by 16 Mar 2016, 1700 hrs, failing which it will be presumed that you have nothing to say in your defense and this office will proceed further in the matter.

CHIEF PROCTOR



Ms. Aishwarya Adhikari  
Room No.: 317, Shipra Hostel  
C/o Senior Warden  
Jawaharlal Nehru University, New Delhi

Ms. Aishwarya Adhikari  
M.A. Student,  
C/o. Chairperson  
School of International Studies,  
JNU

# ANNEXURE - P 69

## OFFICE OF CHIEF PROCTOR

### Statute 32(5) of the Statutes of the University

As per this statute University has a Proctorial system where administration of student related matters pertaining to all acts of indiscipline are delegated to the Chief Proctor. He/She is assisted by two additional proctors; one of the proctors is a woman. Thus, the Proctorial Board comprises of a three member body.

#### Norms and Procedures followed during enquiry:

After receipt of a complaint it is scrutinized by the Proctorial Board to ascertain if it pertains to the jurisdiction of Proctorial Enquiry. Subsequently, either a one/two/three member(s) Proctorial Enquiry Committee is set up to conduct an in depth investigation into the matter. Proctorial enquiry is an internal enquiry of JNU and hence, no other person except the Board members is allowed to be present during hearings. The accused or complainants is not allowed to be represented by a third party. Similarly, He/She cannot have an observer during the process of enquiry.

After it is ascertained that an enquiry required, following procedure/norm is generally followed:

- (1) The complainant is called for hearing and his deposition is recorded.
- (2) The accused person(s) is called for recording his/her statement.
- (3) Witnesses mentioned by both parties is listed and they are called for recording their depositions.
- (4) Any evidence, from security staff/JNU staff or other persons, who were present there and had witnessed the incident are called and their statements recorded.
- (5) A cross-examination of the accused and the complainant is conducted.
- (6) If any material evidence, like audio/video tapes/paper documents etc. is available, the same is examined. The veracity is established from the person who submits these.
- (7) Finally a comprehensive report is prepared where specific charge against the accused is framed and a show cause notice is issued.
- (8) The defense given by the accused persons in the show cause notice is studied and examined.
- (9) Finally, a report is prepared and as per the "Rules of discipline and proper conduct of students of JNU," appropriate disciplinary action is recommended. (Rules of discipline and proper conduct of students of JNU is given in appendix).

- (10) Final report and recommendations is submitted to Vice-Chancellor for approval & final decisions.
- (11) Consequently, the award of punishment is conveyed to the student.
- (12) The punished student has the right to appeal against the punishment and Vice-Chancellor is the empowered authority to deal with appeals.
- (13) The abovementioned norms and procedures are generally followed. However, the Proctorial Board at its discretion can add additional norms or delete existing ones separately depending on the nature and need of the enquiry.

\*\*\*\*\*

### APPENDIX

#### PREAMBLE

Whereas by virtue of Sections 5 (10)\* of the JNU Act read with Statute 32(1)\*\* of the Statutes of the University, the Vice-Chancellor has been vested with all the powers relating to discipline and disciplinary action in relation to students and whereas Statute 32(5)\*\*\* empower the University to frame detailed rules of discipline and proper conduct; and now in pursuance of the same the Vice-Chancellor has approved the following rules of discipline and proper conduct among the students of the University.

#### 1. SHORT TITLE AND COMMENCEMENT

- (i) These Rules shall be called "The JNU Students' Discipline and conduct Rules" hereafter referred to as the "Rules".
- (ii) These Rules shall come into force with effect from the date of notification.\*\*\*\*

#### 2. APPLICATION OF RULES

- (1) These Rules shall apply to all students of the University (including part-time students) whether admitted prior to the commencement of these Rules or after the commencement of these Rules.

\* To regulate and enforce discipline among students and employees of the University and take such disciplinary measures in this regard as may be deemed necessary.

\*\* All powers relating to discipline and disciplinary action in relation to students shall vest in the Vice-Chancellor.

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Without prejudice to the powers of the Vice-Chancellor and the Chief Proctor as aforesaid, detailed rules of discipline and proper conduct shall be framed. The Principals or, as the case may be, the Heads of the Colleges, Institutions, Departments, Special Centres of Specialised Laboratories may frame such supplementary rules as they deemed necessary for the aforesaid purposes. Every student shall provide himself with a copy of these Rules.

These Rules shall come into force w.e.f. 19<sup>th</sup> June 2000.

- (2) Any breach of discipline and conduct committed by a student inside or outside the JNU Campus shall fall under the purview of these Rules.
- (3) Without prejudice to the generality of the power to enforce discipline under Statute 32 of the Statutes of the University, the acts mentioned in Rules 3 shall amount to acts of misconduct or indiscipline or both.

3. CATEGORIES OF MISCONDUCT AND INDISCIPLINE

CATEGORY-I

- i. All acts of violence and all forms of coercion such as gheraos, sit-ins or any variation of the same which disrupt the normal academic and administrative functioning of the University and/or any act which incites or leads to violence.
- ii. Gheraos, laying siege or staging demonstrations around the residence of any member of the University Community or any other form of coercion, intimidation or disturbance of right to privacy of the residents of the campus.
- iii. Sexual harassment of any kind which shall also include:  
Unwelcome sexual proposition/advancements, sexually graphic comments of a body, unwelcome touching, patting, pinching or leering of parts of the body or persistent offensive or unwelcome sexual jokes and/or comments.

CATEGORY-II

- iv. Committing forgery, tampering with the Identity Card or University records, impersonation, misusing University property (movable or immovable), documents and records, tearing of pages, defacing, burning or in any way destroying the books, journals, magazines and any material of library or unauthorized photocopying or possession of library books, journals, magazines or any other material.

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- v. Hunger strikes, dharnas, group bargaining and any other form of protest by blocking entrance or exit of any of the academic and/or administrative complexes or disrupting the movements of any member of the University Community.
- vi. Furnishing false certificates or false information in any manner to the University.
- vii. Any act of moral turpitude.
- viii. Eve-teasing or disrespectful behavior or any misbehavior with a girl student, woman staff member/visitor.
- ix. Arousing communal, caste or regional feeling or creating disharmony among students.
- x. Use of abusive, defamatory, derogatory or intimidatory language against any member of University Community.
- xi. Causing or colluding in the unauthorized entry of any person into the Campus in the unauthorized occupation of any portion of the University premises including halls of residences, by any person.
- xii. Unauthorized occupation of the hostel room or unauthorized acquisition and use of University furniture in one's hostel room or elsewhere.
- xiii. Indulging in acts of gambling in the University premises.
- xiv. Consuming or possessing dangerous drugs or other intoxicants in the University premises.
- xv. Damaging or defacing, in any form, any property of the University or the property of any member of the University Community.
- xvi. Not disclosing one's identity when asked to do so by a faculty member or employee of the University who is authorized to ask for such identity.
- xvii. Improper behavior while on tour or excursion.
- xviii. Coercing the medical staff to render medical assistance to persons not entitled for the same or any other disorderly behaviour in the Health Centre.
- xix. Blockade or forceful prevention of any normal movement of traffic, violation of security, safety rules notified by the University.
- xx. Any other offence under the law of land.

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- xxi. Ragging in any form.
- xxii. Accommodating unauthorized guests or other persons in the halls of residence.
- xxiii. Engaging in any attempt at wrongful confinement of any member of the faculty, staff, student or anyone camping inside the campus.
- xxiv. Any intimidation or insulting behaviour towards a student, staff or faculty or any other person.
- xxv. Any other act which may be considered by the V.C. or any other competent authority to be an act of violation of discipline and conduct.

#### 4. PUNISHMENT

The competent authority may impose any of the following punishments on any student found guilty of any of the acts of indiscipline or misconduct mentioned in Category-I or Category-II, as the case may be in Rule 3.

##### CATEGORY I

- (1) Cancellation of admission or withdrawal of degree or denial of registration for a specified period.
- (2) Rustication up to four semester period and/or declaring any part or the entire JNU Campus out of bounds.
- (3) Expulsion.

##### CATEGORY II

- 1. Admonition/Reprimand.
- 2. Fine up to Rs. 20,000/-
- 3. Recovery of any kind, such as scholarship/fellowship, any dues, cost of damages etc.
- 4. Withdrawal of any or all facilities available to a student as per, JNU Rules (such as Scholarship/Fellowship, hostel etc.)
- 5. Stoppage of any or all academic processes.
- 6. Declaring any Halls of Residences, premises, building or the entire JNU Campus out of bounds to any student.

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ANNEXURE-0

JAWAHARLAL NEHRU UNIVERSITY  
OFFICE OF THE CHIEF PROCTOR  
New Delhi - 110 067

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Administrative Building  
New Delhi-110 067  
Telephone: 26741562  
26704045

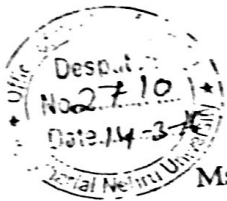
16 March 2016

With reference to show cause no. 2665-66 dated 14<sup>th</sup> March, 2016, time of submission of reply is hereby extended from Wednesday, 16 March 2016, 5 p.m. to Friday, 18 March 2016, 5 p.m.

Also find attached High Level Enquiry Committee report for your reference.\*


This issues with the approval from the Vice-chancellor.

  
Chief Proctor



Ms. Aishwarya Adhikari  
Room No.: 317, Shipra Hostel  
C/o Senior Warden  
Jawaharlal Nehru University, New Delhi

Ms. Aishwarya Adhikari  
M.A. Student,  
C/o. Chairperson  
School of International Studies,  
JNU

\* Report already collected from C.P. office. 

ANNEXURE - K

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JAWAHARLAL NEHRU UNIVERSITY  
OFFICE OF THE CHIEF PROCTOR  
New Delhi - 110 067

25 April 2016

OFFICE ORDER NO. 155/CP/2016

With reference to the 9 February 2016 incident of JNU campus, the High Level Enquiry Committee (HLEC) has found Ms. Aishwarya Adhikari (Registration Number: 1984, Enrolment No: 14/40/HI/112, Year of Admission: 2014, M. A. Student, School of International Studies and a r/o. 317, Shipra Hostel) guilty on the following counts.

The university 'Rules and discipline and proper conduct of students of JNU', Clause 3 - Categories of misconduct and indiscipline', Category-II, Sub-Category (xxv) prohibits 'Any other act which may be considered by the VC or any other competent authority to be an act of violation of discipline and conduct'.

As per the HLEC recommendation, Ms. Aishwarya Adhikari has been found guilty of  
(a) shouting objectionable slogans in wrongfully organized event

This act on the part of Ms. Aishwarya Adhikari is serious in nature, unbecoming of a student of JNU and calls for a strict disciplinary action against her. In view of this and also keeping her career prospects in mind, the Vice-Chancellor has taken a somewhat lenient view in the matter.

Ms. Aishwarya Adhikari is fined Rs. 20,000/- (Rupees twenty thousand only) and is also warned to be careful and not to get involved in such incidents in future. Otherwise, a more stringent disciplinary action will be taken against her. She is directed to deposit the fine by 13 May 2016 and show the proof thereof to this office, failing which the hostel facility will be withdrawn with immediate effect and further registration will not be allowed.

This has the approval of the Vice-Chancellor.

Ms. Aishwarya Adhikari  
Room No.: 317, Shipra Hostel  
C/o Senior Warden  
Jawaharlal Nehru University, New Delhi

Ms. Aishwarya Adhikari  
M.A. Student,  
C/o. Chairperson  
School of International Studies,  
JNU

CC: Deans of Schools  
Dean of Students  
All Chairpersons of Centres  
All Provosts, All Sr. Wardens  
Controller of Examinations, Librarian, CMO, Dy. Director (Sport), EOO  
DR (Admissions), DFO (S&P), Chief Security Officer, PRO, GSCASH, A.R (Legal Cell)  
Registrar, Finance Officer, Vice-Chancellor/Rector- I & II, Director, CIS - for information.

CHIEF PROCTOR

Annexure - QS

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S-

\*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 4142/2016

UMAR KHALID

..... Petitioner  
Through: Mr. Akhil Sibal, Advocate with  
Mr. Jahawar Raja, Mr. Gautam Bhatia,  
Mr. Pradeep Chhindra, Ms. Jahnavi  
Mitra and Ms. Sahana Manjesh,  
Advocates.

versus

JAWAHARLAL NEHRU UNIVERSITY  
THROUGH ITS REGISTRAR

..... Respondents  
Through: Ms. Ginny J. Rautray, Advocate with  
Ms. Parul Kandoi, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

10.05.2016

%

CM Appls. 17494-17496/2016 (exemption) in W.P.(C) 4142/2016

Allowed, subject to just exceptions.

W.P.(C) 4142/2016 & CM Appl. 17493/2016

Issue notice.

Ms. Ginny J. Rautray, learned counsel accepts notice on behalf of respondent. She prays for and is permitted to file a counter affidavit along with all the relevant documents within a period of two weeks.

Rejoinder affidavit, if any, be filed before the next date of hearing.

Learned counsel for respondent fairly states that the deadline for

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depositing the fine of Rs.20,000/- by the petitioner is extended till the next date of hearing.

Respondent-University shall keep the record with regard to the petitioner available on the next date of hearing.

List on 30<sup>th</sup> May, 2016.

MANMOHAN, J

MAY 10, 2016  
js

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जवाहरलाल नेहरू विश्वविद्यालय  
JAWAHARLAL NEHRU UNIVERSITY  
NEW DELHI-110067

सुरक्षा विभाग  
उपपत्ति

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**ANNEXURE-T**

सुरक्षा/04/2016

दिनांक: 11.02.2016

1. दिनांक 09.02.2016 को जे.एन.यू. के कुछ छात्रों द्वारा साबरमती ढाबा पर सायं 5 बजे "CULTURAL EVENING" "AGAINST THE JUDICIAL KILLING OF AFZAL GURU & MAQBOOL BHATT" का आयोजन किया गया। जिसका पोस्टर परिसर में लगाया गया था। इस विषय पर पता चला कि आयोजनकर्ताओं ने डीन छात्र से पहले CULTURAL PROGRAMME की अनुमति ली थी। जब पोस्टर परिसर में लगाया गया तो छात्र सौरभ शर्मा, संयुक्त सचिव, जे.एन.यू. छात्र संघ ने इस विषय पर प्रशासन को लिखित में शिकायत दी। प्रशासन द्वारा तुरंत इस कार्यक्रम की अनुमति रद्द कर दी गयी। इसके मद्देनजर तुरंत ही सुरक्षा कार्यालय द्वारा वसंत कुञ्ज थाने को लिखित में सूचित कर दिया गया (पोस्टर और पुलिस रिपोर्ट संलग्न)।
2. आदेशानुसार करीब 1645 बजे सुरक्षा टीम मौके पर पहुंची। वहां पर उपस्थित छात्र उमर खालिद व छात्र अनिर्बान, को प्रशासन द्वारा कार्यक्रम अनुमति रद्द किये जाने के बावत समझा दिया गया। छात्रों ने माइक और पोस्टर लगाने की पूरी तैयारी की थी। पोस्टर लगा रहे थे लेकिन सुरक्षा कर्मियों ने पोस्टर और माइक नहीं लगने दिया। इस बावत इन छात्रों से काफी बहस बाजी भी हुई। बाद में वहां पर इक्कठे 50-60 छात्रों ने खड़े होकर नारेबाजी की। इनमें छात्र सैयद उमर खालिद निवासी 168 तासी छात्रावास, अनिर्बान भट्टाचार्या, 226 ब्रह्मपुत्रा मुख्य आयोजनकर्ताओं में थे। छात्रा श्वेता राज, आशुतोष. रामानागा, बनोज्योत्सना पूर्व छात्रा, अनंता प्रकाश, छात्रा ऐश्वरिया अधिकारी, मौजूद थे। भीड़ बढ़ने लगी छात्र उमर, अनिर्बान भट्टाचार्य वहीं पर खड़े होकर अफजल गुरु, मकबूल भट्ट जिंदाबाद, कश्मीर की आजादी तक जंग रहेगी जंग रहेगी, भारत की बर्बादी तक जंग रहेगी जंग रहेगी। जिस कश्मीर को खून से सींचा वह कश्मीर हमारा है, हम क्या मांगे आजादी, बन्दूक से लेंगे आजादी, गो इंडिया गो बैक, इंडियन आर्मी मुर्दाबाद, के नारे लगाने। तथा इनके साथी खड़े होकर ही कविता एव नाटक करते रहे। इनमें 2-3 लोगों ने मुंह में कपड़ा बांधा था। इनके कार्य कलाप से ये बाहरी लोग लग रहे थे।
3. दूसरी तरफ 24x7 ढाबा के पास ABVP के 25-30 छात्रों ने इनका विरोध जताया। यह सिलसिला 1930 बजे तक चलता रहा। इसी बीच छात्र कन्हैया (अध्यक्ष छात्र संघ) भी इन लोगों के साथ शामिल हो गए। 1930 बजे कार्यक्रम समाप्ति पर ये के सभी छात्र, छात्राये, मुख्य सड़क की ओर आने लगे वहां पर दोनों पक्षों में नारे बाजी शुरू हुई। सहायक पुलिस आयुक्त तथा वसंत कुञ्ज थाना प्रभारी टीम के साथ उत्तरी द्वार पर तैनात थे। पी. सी.आर तथा पुलिस थाने की गाड़ीयां पहुंची थी। वहां से साथ साथ दोनों पक्ष गर्म जोशी के साथ गंगा ढाबा तक बढ़ने लगे। स्थिति को देखते हुए थाना प्रभारी टीम के साथ मौके पर पहुंचे। गंगा ढाबा पर छात्र कन्हैया कुमार (अध्यक्ष छात्र संघ) तथा छात्र रामानागा, अनिर्बान ने भाषण दिया और नारे लगाये। साथ ABVP के



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जवाहरलाल नेहरू विश्वविद्यालय  
JAWAHARLAL NEHRU UNIVERSITY  
NEW DELHI-110067

छात्रों ने विरोध में नारे लगाये। मौके पर मुख्य सुरक्षा अधिकारी भी मौजूद थे। करीब 2030 बजे सभी छात्र वापिस चले गए।

4. महोदय इस तरह की बिगत घटनाओं की रिपोर्ट (प्रतिलिपि संलग्न)
5. मौके पर निम्न सुरक्षा कर्मी मौजूद थे।

श्री एस.एस .पालनी(सुरक्षा निरीक्षक) श्री सूरज प्रकाश( सुरक्षा सहायक) श्री ओ.पी. यादव(संचालक प्रबंधक, जी4एस) श्री डी.एस.बिष्ट( इयूटी मेनेजर) श्री वी. पी. यादव( सुरक्षा निरीक्षक, जी4 एस)श्री गौरव बाली(सुरक्षा निरीक्षक, जी4 एस) श्री संदीप( सुरक्षा निरीक्षक, जी4 एस) श्री मुकेश) (पर्यवेक्षक श्री होशियार सिंह((पर्यवेक्षक)प्रवीन (पर्यवेक्षक)श्री के.डी.शर्मा(पर्यवेक्षक) श्री आर पी.सिंह(पर्यवेक्षक) तथा श्री मोहन(पर्यवेक्षक) तथा 35 गार्ड व 03 महिला गार्ड लगाये थे (बयान तथा सूची संलग्न)

विंडो फुटेज एवं पैर ड्राइव में आपकी पहल की मौजूदगी का धन्यवाद।

6. रिपोर्ट आपकी सूचना के लिए प्रस्तुत है।

अ.बी.न. 11.02.  
मुख्य सुरक्षा अधिकारी

अध्यक्ष, (उच्च स्तरीय जाँच समिति)



7.e

# ANNEXURE - U

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06 September 2016

To

The Registrar,  
JNU, New Delhi - 110067

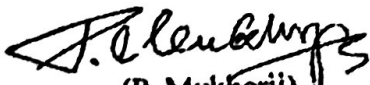
Subject: Response to the cases [Umar Khalid vs JNU / Anirban Bhattacharya vs JNU]  
filed in Delhi High Court.

Dear Sir,

This is to inform you that the Vice-Chancellor had constituted an Appellate Committee to hear the appeals of students who were punished by the HLEC for the misconduct in the event that happened on 9<sup>th</sup> February 2016 on the JNU campus.

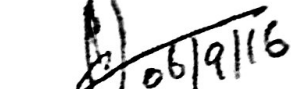
We would like to make following points regarding this issue.

1. All the students who were punished by the HLEC were sent a notice to appear in front of a Four-Member Committee on 16 June 2016 by post / e-mail.
2. The meeting started on 16 June 2016 at 10 am at the Admin. Block Room no. 201, and went on till 10 pm on that very day.
3. Every appellant was given enough time as required by them. Each appellant spent nearly three hours with all the documents (written statements of Security Staff, students, certified videos).
4. There were two adjacent rooms, 201 and 202, which were used by the concerned appellants to sit, read and examine the documents in the presence of one member of the Appellate Committee.
5. The Appellate Committee members continuously translated the pertinent files to the Hindi-speaking appellants from English into Hindi and vice versa for their better understanding, depending upon their language of communication.
6. Mr. Anirban Bhattacharya and Mr. Syed Umar Khalid spent three hours each with the pertinent files as mentioned against point no. 3 above.
7. Mr. Anirban Bhattacharya and Mr. Syed Umar Khalid had gone through all the documents and evidences and cross-questioned the Appellate Committee regarding the reliability and validity of the witnesses. They even asked the Appellate Committee members to cross-examine the witnesses who had given written statements against them.
8. Mr. Anirban Bhattacharya was first to enter the room and in an authoritative manner ordered the Vice-Chancellor not to have any audio-visual recording of this proceeding. Hereafter he sat down on the designated chair and placed a mobile phone on the table saying that he would like to record all the proceedings. The Appellate Committee did not agree to this demand.
9. The full set of documents which were given to Mr. Anirban and Mr. Umar was not more than forty pages. And both of them being PhD students, the time spent to go through the documents was more than sufficient.
10. The Appellate Committee did not restrict the appellants in terms of time, although the letters sent to them had a designated time.
11. There were certain appellants who had clearly stated in their appeal that they were provided with the documents by the committee and they had appealed on the basis of those documents to consider their cases with leniency, looking at their career and humble background. This very fact amply manifests that all the pertinent files and documents were made available to all the appellants, including Mr. Anirban Bhattacharya and Mr. Syed Umar Khalid.

  
(P. Mukherji)  
06.9.16

  
(Vibha Tandon)

  
(Krishna Meena)  
06/9/16

  
(Md. Zubuddin)  
06/9/16

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Do not stand at my grave and cry  
I am not there, I did not die.



On 9<sup>th</sup> of February.

Remembering the martyrdom of

# Afzal Guru

... of the important aspects of the battle against the powers that be is the struggle of  
 memory against forgetting. That is why it is important that we again remind ourselves  
 day of the judicial murder of Afzal Guru orchestrated by the Indian state on the 9<sup>th</sup> of  
 February, 2013 when he was surreptitiously hanged and buried in Tihar Jail bypassing all  
 legal procedures, without any concrete evidence in the name of satisfying the "collective  
 conscience" of Indians. It is important to remind ourselves that this politically motivated  
 murder was nothing more than an attempt to satisfy the conscience of not the toiling and  
 oppressed people of India, but that of the majoritarian Hindu select elites.  
 The hanging and burial of Afzal was yet another attempt  
 on the part of the Indian state to bury the aspirations of  
 the people of Kashmir. But the undying spirit of Kashmir has  
 survived the martyrdom of Magbool, of thousands  
 of youth, lakhs of disappearances, rapes,  
 tortures, mass graves, curfews, AFSPA,  
 lakh army jackboots as also the hanging  
 of Afzal. Every such brutality has only  
 strengthened the struggle of the Kashmiri  
 people's democratic and just demand for their  
 inalienable right to self-determination, which all  
 progressive forces should stand in solidarity with.



# dsu

Don't remove till 15<sup>th</sup> February.

9<sup>th</sup> February: Remembering the martyrdom of Afzal Guru...



## Cowardly acts like the judicial murder of Afzal Guru can never suppress the flames of Azadi in Kashmir!

As fascism tightens its tentacles across the country, it was expected that its ripples would not leave JNU untouched. A glimpse of it was seen last night as the JNU administration in an unprecedented move tore down in every hostel all the posters brought out by DSU on the eve of 9<sup>th</sup> February – the day Afzal Guru was murdered by the Indian state two years back! Even while putting up the posters the guards physically stopped DSU activists from pasting posters, heckled and even threatened them of dire consequences – all at the behest of the Chief Security Officer. When resisted by us and also by the common students, the CSO ever threatened of police complaint and it was proclaimed that such “anti-national”/“terrorist” posters shall not be allowed in campus. This campus through a painstaking process of democratization has ensured so far that the right to keep dissenting, conflicting and diverse opinions even challenging the hegemonic discourse of the oppressive Indian state, is preserved. While on the one hand such authoritarian diktats of fascist surveillance is a direct assault on our democratic space; but it is also more. It is also more because it has specifically to deal with the question of the judicial murder of Afzal Guru, a Kashmiri who was framed, branded as a ‘terrorist’, put through show-trial, denied even constitutionally guaranteed legal procedures and finally hung secretly on 9<sup>th</sup> of February 2013. DSU has been consistently bringing forth the truth and the politics behind his murder despite threats and vandalism by right-wing lumpens. They are of course afraid of this truth as it tears apart their lies and propaganda. And hence, the administration under the fascist diktats of the state tore down the posters so that they could wipe out this truth, so that we may forget.

But, one of the prime aspects of the struggle against the powers that be is the battle of memory against forgetting. So, lest we forget, on the early morning of 9<sup>th</sup> February 2013, the entire valley of Kashmir was put under strict curfew. It was yet another pre-emptive silencing of the massive outrage that the Indian state apprehended. Because thousands of miles away from the valley in the gallows of Tihar jail, the ‘collective conscience of the nation’ was secretly being ‘satisfied’. Afzal Guru was clandestinely being murdered. Flouting all legal provisions, without even informing his family who had petitioned for his clemency, the murderers had put him on the death rope and hurriedly buried his body. Thus in the lightless gallows of Tihar, the well nurtured myth of ‘World’s largest Democracy’ once more bared its fascist fangs. Afzal’s life and death bears not only the ugliest scars of its jingoism, manufactured hyper-nationalism, brazen illegal activities of various ‘intelligence agencies’ working in tandem and implicating innocent people in rabid false cases, use of torture and ‘police confessions’, use of draconian laws like POTA and UAPA; but also its continuation with the medieval practice of capital punishment. In a nutshell the secretly executed and hurriedly buried body of Afzal Guru embodies all the evidences that Indian democracy – and all its so called pillars from the judiciary to the parliament - is a farce. After his execution, not a single parliamentary party, including the parliamentary pseudo-left, raised even a murmur against the blatant travesty of justice. Like a pack of blood thirsty hounds, for all of them the “law had taken its own course” in Afzal’s execution!

Who exactly was Afzal Guru? Like his death, Afzal’s life was fraught with distress, trauma and torture inflicted by the Indian state. He was one amongst the many who had once dared to join the armed rebellion called by JKLF after the judicial-murder of Maqbool Butt and the rampant rigging and imprisonment of elected representatives of Kashmir in 1989. However, a few years he surrendered and wanted to live just a normal life. But normalcy in the context of a brutal military occupation is a far cry. Becoming a soft target for the BSF, STF, Indian army, CRPF, etc after his surrender, he was repeatedly coerced and tortured by the Indian army and the Special Operation Group and had to pay them a regular bribe. On his refusal to become their informer, he was regularly harassed, assigned tasks by the army, tortured whenever he refused to and was finally implicated in the Parliament Attack case along with SAR Geelani, Showkat Guru and Afsan Guru. It is important to trace the eye-witnesses a few days just before the Parliament attack for they expose not just how Afzal was implicated, but also throw some light on who could have really been behind the conspiracy to attack the Parliament. A few days before the parliament attack on 13<sup>th</sup> December 2001, Afzal was picked from his shop by the STF and taken to the notorious torture center of Juhama-Budgam. There after being tortured for six days, he was finally released after he was forced to pay a bribe of one lakh rupees. His wife sold her jewellery and his scooter to get the money. Inspector Davinder Singh of the STF thereafter ordered Afzal to take one Mohammad (one of the slain attackers of parliament) to Delhi and help him rent a room. Afzal himself told the media later that he did not even know that person, why he was going to Delhi and that he complied with the STF’s orders only to escape the torture that would follow if he refused. Beyond this one act which Afzal was forced to do under the directions of the STF, even the court could prove nothing in relation to his involvement in the parliament attack. No one till now knows the identity of the five attackers except their names. The ludicrousness of the government’s claims at that time about the attack can be gauged from the fact that when L.K Advani, the then home minister, was asked about how he could be so sure that the attackers were Pakistanis, he replied that they looked like Pakistanis! Right after the

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government made public the names of the attackers, S.M Sangeri, the Police Commissioner of Thane sought a clarification from J&K police identifying one of the four slain militants as Abu Hamza - someone whom the Thane police had arrested in early December in 2001 and handed over to J&K police along with three others. Sangeri kept reiterating about the whereabouts of the militants he had handed over, but he was never answered

Afzal's torture in custody by the Special Cell of the Delhi exposes the Abu Ghraib within our own country. The barbarity with which the police dealt with him can be gauged by the account he reiterated later. Officers of the special cell of the Delhi Police hung him upside down naked, he was kept in freezing water in December, petrol was poured into his anus, electric shocks were given on his private parts and the officers of the Special Cell even urinated into his mouth and forced him to have anal sex with another co-accused. In a violation of all forms of law and journalistic ethics, the 'confessions' forcefully extracted from him in police custody through the above recounted torture were uncritically reproduced by the bloodthirsty and jingoistic corporate media which ran a vitriolic campaign against Afzal, Geelani, Showkat and Afsan. When Afzal later recounted his ordeal and the circumstances in which the 'confessions' were extracted or his statements about the role of the SOG and STF in the parliament attack, the media remained cruelly oblivious to it. Even the roles of Inspector Davinder Singh and notorious "encounter specialist" Rajbir Singh who orchestrated Afzal's media confession after carrying out atrocious torture on him was also never probed or pinned down. This morbid media trial declared him guilty and therefore liable to be murdered, even before his formal trial began!

What followed in the name of a trial was a show-trial, a mockery of justice, the outcome of which was already decided. At the most crucial stages of the case, he was denied even a lawyer to represent and defend himself. Later when the government provided him a lawyer, he did not meet him in person even once, did not summon any witness in Afzal's defence and did not cross-examine any of the witnesses. Even then, the prosecution could not furnish any evidence against him. The two most incriminating pieces of evidence against Afzal were a cellphone and a laptop confiscated at the time of arrest - none of which were sealed as is required by the law for any evidence to be credible. The seizure memos were signed by two men of the J&K Police, one of them who was one of the torturers back in Kashmir. Later it emerged that the hard disc of the laptop had been accessed after the arrest. The police maintained that Afzal and Showkat were in touch with one Gazi Baba over two phone numbers, but never produced any call records which could have been obvious evidences to prove their claims. The court was even forced to reject the Afzal 'confessions' in police custody owing to their glaring loopholes, and the High Court acquitted Geelani and Afsan and commuted Showkat's death sentence. But despite such several loopholes, open ended claims, enforced circumstantial evidences that made up the case against Afzal, the Supreme Court upheld his death sentence. However, not on the basis of any evidence, which if itself accepted it had none, but on a supposed 'collective consciousness' of the society. In an atrocious judgment on Afzal, the Supreme Court stated 'As is the case with most of the conspiracies, there is and could be no direct evidence of the agreement amounting to criminal conspiracy...The incident, which resulted in heavy casualties, had shaken the entire nation, and the collective conscience of the society will only be satisfied if capital punishment is awarded to the offender'. Therefore, the jingoist 'collective conscience' overruled law and justice and vindicated the murderous zeal of the expansionist Indian state.

Like in life, Afzal and his family were cheated in his death as well! Afzal was executed in utter secrecy and the news of the rejection of his mercy petition or even his impending execution was neither told to him nor to his family or lawyers. It is however mandatory for the government to inform the petitioner (in this case his wife Tabassum) if the clemency petition is rejected. There are exhaustive provisions of judicial reviews of such rejection and anybody in the gallows are entitled to such a right. The court had appointed Mr. Ram Jethmalani as the amicus curiae in this case and was hearing the petition. But for Afzal after spending 12 years in prison after being framed the "law did not take its course" and he was rabidly denied of such existing legal provisions to fight a last battle for justice and truth. The state did not even return his body back to his family, hurriedly buried him in Tihar itself - next to Maqbool Butt, another Kashmiri who was hanged by the Indian state and buried there 22 years back.

For the Kashmiris, Afzal is another martyr like countless others, whom the Indian state killed in an attempt to brutally to crush their aspirations for their inalienable right to self-determination. In his life as well as his death the people of Kashmir identify the plight of countless Kashmiris living and dying under occupation. However every brutality has only further strengthened their struggle! The progressive, democratic and revolutionary forces in India must assert that the 'collective conscience' which the Indian state evoked to murder Afzal does not belong to the oppressed masses of our country, but is only the conscience of the Brahmanical-Hindutva fascist ruling classes. We must all stand in solidarity with the undying spirit of Kashmir that has survived the martyrdom of Maqbool, of lakhs of Kashmiris, thousands of disappearances, rapes, tortures, mass graves, curfews, AFSPA, 8 lakh army jackboots as also the hanging of Afzal and we must dare to tell the truth despite all attempts by the state to gag our voices, call it "seditious" and incarcerate us.

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10-02-16

सेवा में,

कुलपति महोदय

जवाहर लाल नेहरू विश्वविद्यालय

नई दिल्ली

विषय : आनेकवादी भ्रष्टाचार गुरु के शहादत दिवस मनाने के दौरान की गई मारपीट के संबंध में

महोदय,

सविनय निवेदन यह है कि मैं विभिन्न नाम, अंतरराष्ट्रीय

भ्रष्टाचार संस्थान का शोध छात्र हूँ। मैं कम दिनांक 09-02-2016

को शाम 5 बजे यावरमती बाबा पर पहुँचा तो कुछ छात्र

(वे जो एन.ए.ए. छात्र थे या नहीं पता नहीं) भ्रष्टाचार गुरु एवं मठबूत

भद्र के शहादत दिवस मना रहे थे एवं "भ्रष्टाचार गुरु अमानों

को हम मंजिल नठ पहुँचाएंगे" हमें चाहिए कश्मीर की राजधानी,

"गो बैक इंडिया", "भारत के 10 टुकड़े हो. इन्का अंतर्गत इन्का भ्रष्टाचार

जैसी भाषात्रिषणक एवं प्रेसफ्रीडी नारें लगा रहे थे। मैंने देखा वहाँ

445 के सुरक्षा गार्ड्स खड़े थे मैंने उनके पुछा कि क्या एक

कार्यक्रम की अनुमति प्रशासन से ली गई है तो बोला गया प्रशासन

ने अनुमति देने से मना कर दिया है फिर भी प्रशासन के संरक्षण

में वहाँ पर कार्यक्रम चलता रहा एवं सुरक्षा गार्ड्स ने सामने

हो Go Back India के नारे लगाने शुरू। वहाँ पर मौजूद

कुछ छात्र समूहों में शामिल हुए थे उनका विरोध बट रहे थे

एवं भ्रष्टाचार के शहादत मनाने वाले के खिलाफ नारे लगाने शुरू

में भी उनी समूहों में शामिल हो गए एवं शान्तिपूर्ण रूप

से उन लोगों के खिलाफ नारे लगाने लगे। अचानक भ्रष्टाचार के

नई दिल्ली  
10-02-2016

७८



जैसे जैसे हमलोगों के पास कुत्तों, बिल्लियों, गधों, घोड़ों, गोरों, भैंसों, गोरों, गंभीर-गंभीर गालियों होने लगे। वे लोग बोस रहे थे कुत्तों को जान के तरह काट देते एवं भैंसों का प्रशासन कुछ नहीं करते। जब वहां पर मौजूद कुछ छात्रों ने भाषाओं की जो वे लोग जानवर की तरह हमपर दूर परे, जिधमें मेरे भन्नाके की सादियों की चोटें आई। वहां पर मौजूद जे.एन.यू. छात्र संघ संघ पर पश्चिम की विधि ने 'बंदूब' अब दिखा ही जो कवच लप के बाहर वा एा होगा। ये सब धरनाएं प्रेसिडेंटों के साथ बिना अनुमति के विरोध प्रदर्शन करने के दौरान प्रशासन के सामने हो रहा था। मैंने कई बार वहां पर मौजूद गार्डों के बाहर ही इनके रोका था। क्योंकि इसके बाद अनुमति नहीं है पर वे कुछ नहीं कर रहे थे धेन में मैंने 100 नंबर पर पुलिस को फोन किया पर को डाले ही लेकिन प्रशासन ने इन्हें बलपूर्वक रोकने की अनुमति नहीं दी एवं के.योग गिरी के 34 प्रेसिडेंट विश्व विद्यालय में भारत की गाली देने रहे। मारपीट में मुख्य लप थे बुद्धा, जी.गजेरा, उमर खानिद जैसे लोग थे एवं इन्हीं को मैं जानता तक नहीं।

महोदय, पच्छिम में भूद इतना ही पहली घटना नहीं है।

जहां पर आये दिन जहां 'जुसे लप में भारत की झण्डेडन की सुरक्षा की जाती है एवं पोंस्टर लगाये जाते हैं। पूर्व में जी-2010 में 76 व्यक्तियों के माले को वह Celebrate कर रहे थे, मौजूद की हर हाल गाली दी जाती है एवं राक्षस महिषासुर का महिमासंडन दिया जाता है, प्रेसिडेंट गिलानी की बुद्धा। महिषासुर के बुल्लाया जाता है जो इस्मीर की भाषाओं की... बोल चुकाई, हर मौको पर banner movie की screening की जाती है और यह सब प्रशासन के Notice होने हुए भी इसे होने दिया जाता है।



प्रशासन उस रूप से हाथ पर हाथ रखकर बंदी नहीं रह सकती। यह संस्थान इंडियन सरकार के बजट से यथोचित है एवं भाग लोगों का income tax पर भुगतान पर धात्रों की subsidies तथा अन्य facilities की जाती है। भुगतान पर देशप्रेमी तकली की सम्पन्न होने की धृष्ट नहीं की जा सकती। भाग जनता जब अपना पैसा लगाती है तो वह चाहती है देश की उन्नति हो। हम धात्र पर - निरर्थक एवं देश के विकास में अपना योगदान है। ना ही कुछ लोगों के पगालपन को सम्भोध करे एवं देश की बांटने की कोशिश करे।

इसलिए हमें यह विचार निवेश करना है कि इस मामले पर गंभीरता से विचार करे एवं तत्काल हम उपायों।

- 1) पुरे धरनाक्रम की जांच 15 दिनों के अंदर इजाजती जाय।
- 2) बिना अनुमति के कार्यक्रम केंचें एवं क्यो हुआ इसकी जांच हो - एवं जवाबदेही तय की जाय।
- 3) कार्यक्रम में मौजूद लोग एवं मारपीट इले वाले लोगों केविलंब इंग्लैड हारेवार्ड की जाय।
- 4) बाहरी लोगों पर कंठो न्याय रखी जाय एवं इस रूप के सिखी प्रजापत में बाहरी लोगों के भाग के लेने पर पाबंदी लगायी जाय।
- 5) Hospitals में रह रहे illegal लोगो पर इलाकाई की जाय एवं यह ensure की जाय Hospital में केवल authorised students ही रहे।
- 6) DSU जैसी संगठन को गुप्त बंद की जाय जिसे पास पार्टी CPI(Marxist) जनमत Action को मत के मत already है।

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(37)

द्वितीय धर्म के sentiment पहुँचाने जैसे कार्यक्रम ना हो पाये. यह सुनिश्चित ही जान।

(38)

महाशय, आपसे हम लोगों की पुणे इन्सिडेंट के विषय  
कृपया धरना पर कम से कम समय में बहोतराम बलिाई  
होगे यदि यह विश्वविद्यालय से जुड़ी हुई आप नकारात्मक  
बातों पर विषय लगे हवे हमारा विश्वविद्यालय एवं  
सच्चे रूप में देश के प्रतिष्ठित जोर हजे वाला  
विश्वविद्यालय बने जिधपर मामलों की गर्व हो।

धन्यवाद!

आपका विश्वासी

बिनित भाव

शोध धार

इंजी पब्लिकिब स्टडीज / एम. आई. एच.

जे. एन. यू.

204, मांडवी धारागावा

# 9911685102

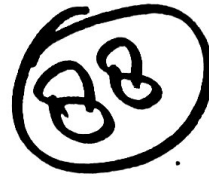
- Proctor Office
- Office of President
- Prime Minister Office
- HRD
- UGC
- Ministry of Home Affairs
- Lt Gov of Delhi
- Chancellor of JNU

Chief Proctor -

M. Kumar  
11/02/16

A committee consisting of Dr. Phad Bader, Dr. Prate Das and the Chief Proctor may investigate the matter.  
Krishna 11.2.2016

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जवाहरलाल नेहरु विश्वविद्यालय  
JAWAHARLAL NEHRU UNIVERSITY  
NEW DELHI-110067

सुरक्षा विभाग  
ठोपनीत्र

सुरक्षा/04/2016

दिनांक: 11.02.2016

1. दिनांक 09.02.2016 को जे.एन.यू. के कुछ छात्रों द्वारा साबरमती ढाबा पर सायं 5 बजे "CULTURAL EVENING" "AGAINST THE JUDICIAL KILLING OF AFZAL GURU & MAQSOOL BHATT" का आयोजन किया गया। जिसका पोस्टर परिसर में लगाया गया था। इस विषय पर पता चला कि आयोजनकर्ताओं ने डीन छात्र से पहले CULTURAL PROGRAMME की अनुमति ली थी। जब पोस्टर परिसर में लगाया गया तो छात्र सौरभ शर्मा, संयुक्त सचिव, जे.एन.यू. छात्र संघ ने इस विषय पर प्रशासन को लिखित में शिवायत दी। प्रशासन द्वारा तुरंत इस कार्यक्रम की अनुमति रद्द कर दी गयी। इसके गद्देनजर तुरंत ही सुरक्षा कार्यालय द्वारा वरंत कुछज थाने को लिखित में सूचित कर दिया गया (पोस्टर और पुलिस रिपोर्ट संलग्न)।
2. आदेशानुसार करीब 1645 बजे सुरक्षा टीम गौंके पर पहुंची। वहां पर उपस्थित छात्र उमर खानिद व छात्र अनिर्बान, को प्रशासन द्वारा कार्यक्रम अनुमति रद्द किये जाने के बावत समझा दिया गया। छात्रों ने माइक और पोस्टर लगाने की पूरी तैयारी की थी। पोस्टर लगा रहे थे लेकिन सुरक्षा कर्तियों ने पोस्टर और माइक नहीं लगाने दिया। इस बावत इन छात्रों से काफी बहस बाजी भी हुई। बाद में वहां पर इक्कठे 50-60 छात्रों ने खड़े होकर नारेबाजी की। इनमें छात्र रीयद उमर खानिद निवासी 168 तारु छात्रावास, अनिर्बान भट्टाचार्य, 226 ब्रह्मपुत्रा मुख्य आयोजनकर्ताओं में थे। छात्रा श्वेता राज, अशुतोष, रामानुगा, बनोज्योत्राना पूरा छात्रा, अनंता प्रकाश, छात्र ऐश्वरिया अधिवारी, मौजूद थे। भीड़ बढ़ने लगी छात्र उमर, अनिर्बान भट्टाचार्य वहाँ पर खड़े होकर अफजल गुरु, मकबूल भट्टा सिंदाबाद, कश्मीर की आजादी तक जंग रहेगी जंग रहेगी, भारत की बर्बादी तक जंग रहेगी जंग रहेगी। जिस कश्मीर को खून से सींचा वह कश्मीर हमारा है, हम क्या मांगे अजदी, बन्दूक से लगे आजादी, गे इंडिया गो बैक, इंडियन आर्मी मुर्दाबाद, के नारे लगाये। तथा इनके साथ खड़े होकर ही कथिता एव नाटक करते रहे। इनमें 2-3 लोगों ने मुह में कपड़ा बांधा था। इनके कार्य कलाप से ये बाहरी लोग लग रहे थे।
3. दूसरी तरफ 24x7 ढाबा के पास ABVP के 25-30 छात्रों ने इनका विरोध जताया। यह सिलसिला 1930 बजे तक चलता रहा। इसी बीच छात्र कन्हैया (अध्यक्ष छात्र संघ) भी इन लोगों के साथ शामिल हो गए। 1930 बजे कार्यक्रम समाप्ति पर ये के सभी छात्र, छात्राये, मुख्य सड़क की ओर आने लगे वहां पर दोनों पक्षों में नारे बाजी शुरू हुई। सहायक पुलिस आयुक्त तथा वरंत कुछज थाना प्रभारी टीम के साथ उत्तरी द्वार पर तैनात थे। पी. सी.आर तथा पुलिस थाने की गाड़ियां पहुंची थी। वहां से साथ साथ दोनों पक्ष गंग जोशी के साथ गंगा ढाबा तक बढ़ने लगे। स्थिति को देखते हुए थाना प्रभारी टीम ने साथ गौंके पर पहुंचे। गंगा ढाबा पर छात्र कन्हैया कुमार (अध्यक्ष छात्र संघ) तथा छात्र रामानुगा अनिर्बान ने भाषण दिया और नारे लगाये। साथ ABVP के

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जवाहरलाल नहरु विश्वावधालय  
JAWAHARLAL NEHRU UNIVERSITY

NEW DELHI-110067

छात्रों ने विरोध में नारे लगाये। मौके पर मुख्य सुरक्षा अधिकारी भी मौजूद थे। करीब 2030 बजे सभी छात्र वापिस चले गए।

4. महोदय इस तरह की घिगत घटनाओं की रिपोर्ट (प्रतिलिपि संलग्न)

5. मौके पर निम्न सुरक्षा कर्मी मौजूद थे।

श्री एस.एस. पालनी(सुरक्षा निरीक्षक) श्री सूरज प्रकाश( सुरक्षा सहायक) श्री ओ.पी. यादव(संचालक प्रबंधक, जी4एस) श्री डी.एस.बिष्ट( इयूटी मैनेजर) श्री पी. पी. यादव( सुरक्षा निरीक्षक, जी4 एस)श्री गौरव बाती(सुरक्षा निरीक्षक, जी4 एस) श्री संदीप( सुरक्षा निरीक्षक, जी4 एस) श्री मुकेश) (पर्यवेक्षक श्री होशियार सिंह(पर्यवेक्षक)प्रवीण (पर्यवेक्षक)श्री के.डी.शर्मा(पर्यवेक्षक) श्री आर पी.सिंह(पर्यवेक्षक) तथा श्री मोहन(पर्यवेक्षक) तथा 35 गार्ड व 03 महिला गार्ड लगाये थे (बयान तथा सूची संलग्न)  
दि डिप्टी फुटज एर पैर ड्राइव में आकरने पहलने श्री ओंया जा -पुका है।

6. रिपोर्ट आपकी सूचना के लिए प्रस्तुत है।

प्रवीण सूरज  
मुख्य सुरक्षा अधिकारी

अध्यक्ष, (उच्च स्तरीय जाँच समिति)

7.5

Against the Brahmanical Collective Conscience!  
Against the judicial killing of Afzal Guru & Maqbool Bhat  
In solidarity with the struggle of the Kashmiri people  
for their democratic right to self-determination...

We invite you for a

# Cultural Evening

of protest with poets, artists, singers,  
writers, students, intellectuals, cultural activists

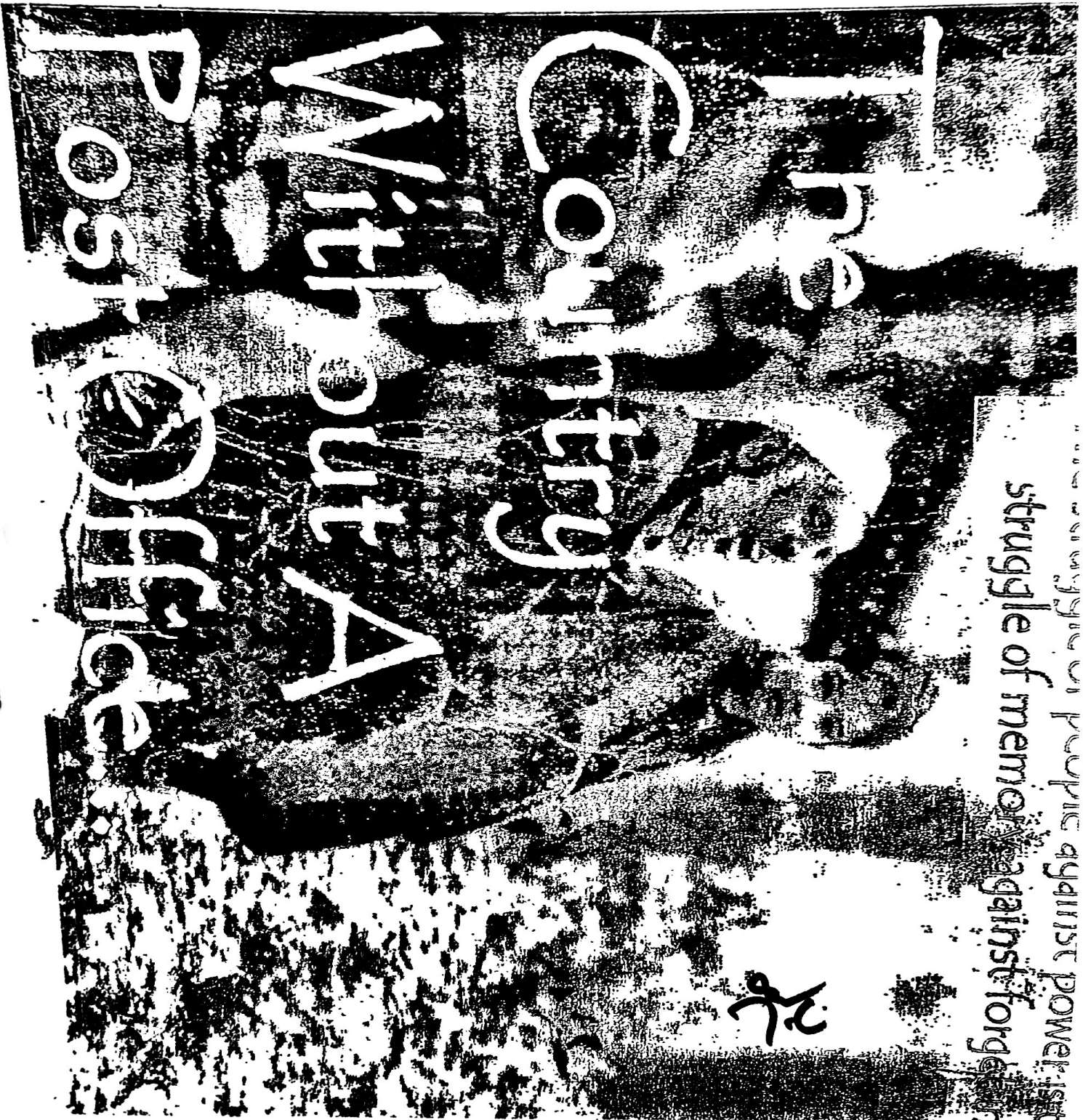
9th February, Tuesday, 5pm, Sabarwal Dhaba

There will also be an art exhibition & a photo exhibition portraying the  
history of the occupation of Kashmir & the people's struggle against it.  
We invite everyone to join us in protest, in rage against the  
occupation and in solidarity with the valiant people of Kashmir!

Anirban, Anjali, Anwesha, Aswathi, Bhavna, Komal, Reyaz, Rubina, Umar, Sama

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# The Country Without A Post Office

... struggle of memory against forgetting

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~~ANNEXURE-V~~  
~~BAHAYAS~~

**JAWAHARLAL NEHRU UNIVERSITY**  
**OFFICE OF THE CHIEF PROCTOR**  
New Delhi - 110 067

22 August 2016

OFFICE ORDER NO. 207/CP/2016

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With reference to the 9 February 2016 incident on JNU campus and as per the Hon'ble High Court Order dated 13 May 2016, Ms. Aishwarya Adhikari (Registration Number: 1984, Enrolment No: 14/40/HI/112, Year of Admission: 2014, M. A. Student, School of International Studies and a r/o. 317, Shipra Hostel) was requested to appear and depose before the Vice Chancellor, the Appellate Authority of the University, on 16 June 2016 at 3.00 p.m.

During her deposition before the Appellate Authority and investigation thereon her involvement in the event could not be established beyond doubt.

The punishment, as recommended by the Appellate Authority, on Ms. Aishwarya Adhikari is fine of Rs. 5000/-. The payment of fine will have to be made within two weeks from the date of the implementation of this order. In addition, as per the Appellate Authority recommendation, Ms. Aishwarya Adhikari is also directed to submit the attached undertaking within two weeks of the receipt of this order.

This order will be effective after 15 days of receipt of this order.

~~CHIEF PROCTOR~~

Encls.

1. Order of the Appellate Authority
2. Undertaking form

Ms. Aishwarya Adhikari  
Room No.: 317, Shipra Hostel  
C/o Senior Warden  
Jawaharlal Nehru University, New Delhi

4501/11  
22/8/16  
Ms. Aishwarya Adhikari  
M.A. Student,  
C/o. Chairperson  
School of International Studies  
JNU

CC: Deans of Schools  
Dean of Students  
All Chairpersons of Centres  
All Provosts, All Sr. Wardens  
Director (Admissions), Controller of Examinations, Librarian, CMO, Dy. Director (Sport), EOO  
DR (Admissions), DFO (S&P), Chief Security Officer, FRO, GSCASH, A.R (Legal Cell)  
Registrar, Finance Officer, Vice-Chancellor/Rector- I & II, Director, CIS - for information.

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Ms. Aishwarya Adhikari (M.A., SIS)

The appellate committee went through the depositions by security staff of JNU, depositions of students, perusal of video clips and documents on the record to reconstruct the incident and to determine the role of Ms. Aishwarya Adhikari in the February 9, 2016 event on the JNU campus. On the basis of the same, the committee asked a set of questions to Ms. Adhikari.

In the beginning she was asked by the Appellate Authority "Were you present at the Sabarmati Dhaba to attend the event on 9<sup>th</sup> February, 2016?"

In response to this question she said "she will not speak anything until and unless she is provided with a photocopy of all the documents requested by her in her earlier representations to the University Authorities". It is important to note that Ms. Adhikari was provided a complete set of files (Security depositions, copies of relevant videos, copies of statements given by witnesses, copies of all correspondence, copies of the report of HLEC, all other documentary proof) used by the HLEC to arrive at the punishment in respect of Ms. Adhikari.

The committee members tried to ask following questions to Ms. Adhikari but she did not cooperate with them.

1. Why did you not appear for the High Level Enquiry Committee (HLEC) to prove your innocence even after three notices and reminders?
2. Why did you participate in the event even after the permission to hold the programme has been withdrawn?
3. Why did you shout objectionable slogans during the event?

Ms. Adhikari was given ample time by the committee to examine all the files before she could write her appeal and she read through these files but still wrote her appeal from a document which she had brought with her.

Evidence

1. She shouted objectionable slogans in wrongfully organized event which, is evidenced from a student deposition. One of the students wrote in his depositions that Ms. Aishwarya Adhikari was involved in the event at Ganga Dhaba.

Recommendations

Ms. Adhikari did not make any specific appeal to absolve herself from the charges made by the HLEC. On the contrary she questioned the formation of HLEC itself, and asked for documents and evidence related to her involvement in the event. Since her involvement cannot be established beyond doubt, the committee reconsidered recommendations of the HLEC, i.e., 'a fine of Rs. 20,000/-' should be reduced to Rs. 5000/-. In addition to this, she has to submit an undertaking in a prescribed format to the Chief Proctor.

*[Handwritten signature]*