

To

The Senior Superintendent of Police
Kapurthala

Subject:- Regarding registration of FIR against the offending officials, including but not limited to the Vice Chancellor and the Board of Directors, of Lovely Professional University

Sir,

1. That in continuation of **Memo No. HE-1/SPL/2020/923/1**, copy whereof had been marked to You by Superintendent of Department of Higher Education and Languages (Copy enclosed herewith) and in furtherance of **Order dated April 24, 2020 passed by Hon'ble High Court in CWP-PIL 42 of 2020** (Copy enclosed), the undersign is approaching you vide this representation, seeking your indulgence in registering FIR against the offending officials, including but not limited to the Vice Chancellor and the Board of Directors, of Lovely Professional University (**LPU**).
2. That it is a matter of record that on March 13, 2020 State of Punjab ordered suspension all kind of teaching work in all the institution across state of Punjab which was widely covered by all the newspapers dated 14.03.2020. Apparently the aforesaid order was also sent to the LPU and even otherwise, being an order rendered by a public authority and having been extensively covered by the news agencies, is deemed to be in the knowledge of the public at large. However LPU, without complying with the guidelines issued, jeopardised the lives of around 3200 people and acted illegally and arbitrarily by self-imposed administrative decision of not sending the

students to their respective homes despite having sufficient time for compliance since 13.03.2020.

3. That subsequently on 17.03.2020/19.03.2020, during a 30-minute live telecast, the Hon'ble Prime Minister Sh. Narendra Modi directed all citizens to observe 'Janata Curfew' (people's curfew) from 7 am to 9 pm on 22.03.2020. On March 24, 2020, keeping in view the seriousness of the situation, Hon'ble Prime Minister announced a nationwide lockdown from midnight of that day, for a period of 21 days.
4. That it appears that all this while the concerned District Administration, District Kapurthala was however kept in the dark by the LPU by not disclosing that as many as 3200 persons are inside the campus. Further neither norms of social distancing were followed nor any instructions/ guidelines were issued by the Government were complied with, resulting in risking of lives of not only the students but also, other citizens of the country. LPU, having been conveyed the order on March 13, 2020, though evidently had sufficient time till the imposition of lockdown w.e.f. March 24, 2020, however did not take any steps for ensuring compliance of the same and rather deliberately concealed the true and actual scenario.
5. That subsequently an event, which shook the conscience of the public at large, including the Applicant, unfolded that one student who hails from District Mumbai, Maharashtra tested positive for COVID - 19. Apparently the aforesaid victim had remained within the university premises all this while. This raises serious concerns because the strong apprehension that the highly contagious virus COVID-19 may have spread across the LPU campus cannot be ruled

out. The aforesaid issue has been widely circulated nation-wide in various newspapers and the ex Member of Parliament and incumbent MLA of District Kapurthala raised serious concerns over these issues.

6. That it has further come to the knowledge of the Applicant that on 16.04.2020, the concerned senior Magistrate, Phagwara sent one information letter to the Deputy Commissioner Kapurthala stating the circumstances that the LPU claimed that 300-400 were inside hostel campus but it has come to light that as many as 2421 students which are residing in university hostels.
7. That on dated 16.04.2020, Superintendent of Department of Higher Education and Languages, vide letter bearing Memo No. HE-1/SPL/2020/923/1, issued a Show cause notice to the LPU for not complying with the guidelines on lockdown and concealing the actual number of students present inside LPU Campus, especially when a COVID-19 positive case was tested within the campus and no social distancing was maintained. Apparently copy of the aforesaid letter had been marked to your office for taking strict action under the relevant act(s)/ sections against university authorities. (Copy of the Notice is already enclosed)
8. That however, since no action whatsoever was being taken in this regard, the Applicant was constrained to prefer CWP-PIL 42 of 2020 before the Hon'ble High Court. Apparently, while detailing the steps taken by the state to prevent the further outbreak of the pandemic, it has been submitted by the Ld. Counsel, representing the state, that in case any irregularity is found, the state will not hesitate to take any action civil or criminal against the university. While it is apparent that

the Department of Higher Education has initiated the enquiry against the LPU and even issued show cause notice, response whereof is awaited, it is however to be taken note that even your office has been marked a copy of the aforesaid notice to take strict action under the relevant act(s)/ sections against university authorities.

9. That it is further pertinent to take note that the Hon'ble High Court has even granted the liberty to the Applicant to take up all possible grievances against the authorities. As such, I beseech you to kindly take note of the facts detailed above and immediately register the FIR under the relevant provisions of the Indian Penal Code (**IPC**) and the Epidemic Diseases Act 1897 against the offending officials, including but not limited to the Vice Chancellor and the Board of Directors, of Lovely Professional University.
10. That in the humble submission of the Applicant, the fact that the LPU administration had deliberately mislead the government officials is evident from bare perusal of the report of the SDM, Phagwara which was submitted to Deputy Commissioner, Kapurthala, wherein it has been clearly stated that LPU had earlier falsely submitted that only 300-400 students are residing in the campus whereas on inspection that about 2421 students are residing in the campus. Further university had deliberately mislead the authorities in stating that only 315 international students were there in the campus, however it has been found out that more than 2180 students are there in university. (Copy of report enclosed) The aforesaid facts even find mention in the show cause notice issued to the LPU.
11. That apparently the Show Cause Notice is merely an administrative action and is only for requiring an explanation from the university as

to why, in the light of their illegal and irresponsible conduct, their license be not revoked. As such, the Applicant implores you to initiate punitive action against the University Officials. In this regard, Your office even on earlier occasion was approached by the Department of Higher Education and now, in terms of the liberty granted by the Hon'ble High Court, is being again requested through this representation to immediately register the FIR against the university officials for their deliberate illegal and lackadaisical conduct.

12. That the actions/inactions of the university officials *ex facie* undermine the collective efforts of the Government and the citizens of India in their sincere efforts to defeat the spread of COVID-19. The casual, misleading and grave acts of the University officials have the effect of mocking at the guidelines issued time and again by the Government. As such, immediate registration of the FIR against the University officials is of utmost importance, not only to ensure penal action against the offending persons but also, to ensure that a strong message of deterrence be sent out in public at large to ensure strict compliance of the guidelines in future.

In the light of the facts detailed above, awaiting a positive and swift response from your Office.

Dated: 25/04/2020

Sahil Kumar,
S/o Vijay Kumar,
R/o H.No. 635A, Grover Colony,
120ft Road,
Jalandhar, Punjab