

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 402/2015

Nithin Chandran Vs. Union of India & Ors.

CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant /Appellant : Mr. Aditya Parola and Mr. Piyush Singh, Advs.
Respondent No. 2 : Ms. Monika Yadav, Adv.
Respondent Nos. 3-5 : Mr. Ankur Chhibber and Mr. Manu Padalia, Advs.

Date and Remarks	Orders of the Tribunal
Item No. 11 July 18, 2016	Heard. Perused. The present Application has been moved for directing paperless campaign/canvassing to be done in elections conducted by the Delhi University Students Union henceforth and in alternative to ensure that the environmental friendly modes of campaigning and canvassing are adopted during DUSU elections. Respondent Nos. 2 to 5 have joined the issue by filing the Replies. Respondent No. 1- MoEF has not filed any Reply. Respondent nos. 2 to 5 submit that they share the concern of the Applicant regarding large-scale abuse of the paper in canvassing for the election for the Delhi University and South University Unions and to curtail this abuse they remain committed to the recommendations of Lyngdoh Committee Report as referred to by the applicant in its Application at paragraphs nos. 5 and 6. Learned Counsel appearing on behalf of the Applicant submits that this Tribunal has taken cognizance of the wrong to the environment caused on account of indiscreet use of paper in elections resulting in

environmental degradation and had passed Order restraining the pasting of pamphlets etc. on the walls in DU campus as well as on public streets and the Respondents do not have any serious objections to granting of such relief permanently.

It is true that the abuse of paper finally adds to the pollution load on the environment as quoted in paragraphs 7 to 12 of the Application. The Applicant has rightly quoted relevant part of the Lyngdoh Committee recommendations as follows:

- (a) 6.75 No candidate shall be permitted to make use of printed posters, printed pamphlets, or any other printed material for the purpose of canvassing. Candidates may only utilize hand-made posters for the purpose of canvassing, provided that such hand-made posters are procured within the expenditure limit set out herein above.
- (b) 6.76 Candidates may only utilize hand-made posters at certain places in the campus, which shall be notified in advance by the election commission/university authority.
- (c) 6.78 No candidate shall, nor shall his/her supporters, deface or cause any destruction to any property of the university/college campus, for any purpose whatsoever, without the prior written permission of the college/university authorities. All candidates shall be held jointly and severally liable for any destruction / defacing of any university/college property.
- (d) 6.7.14 All candidates shall be jointly responsible for ensuring the cleaning up of the polling area within 48 hours of the conclusion of the polling.

as a potent measure to reasonably reduce the wastage of paper and natural resources in student body elections. The Applicant further reveals that Hon'ble Supreme Court of India in its order dated 22-09-2006 directed the recommendations of the Committee to be implemented and to be followed in all Universities/ Colleges/ Institutions election hereinafter.

We have perused the photographs annexed to the

application at annexure A-1 to A-3. A massive abuse of paper pamphlets/posters giving ugly look to campus premises floor, walls and furniture is evident from the photographs. It is for these reasons that we were prompted to grant ex-parte interim relief restraining the respondent no. 5-DUSU from pasting pamphlet etc. on the walls in the DU campus as well as on the public streets vide order dated 16th September, 2015. This ugly display of student power warrants some added measure to the recommendations made by the Lyngdoh Commission.

In the present times of internet/mobile apps communications have become fast and more consumer friendly to such an extent that the use of printed material for canvassing has become archaic for many a young minds; but for some amongst them handmade posters may provide an avenue for expressing their creativity. However, unregulated and indiscreet use/pasting of posters/pamphlet, may be handmade or otherwise, on the walls of campus or on public streets would be ugly abuse of both the medium i.e. the paper and expression i.e. creativity, and at the receiving end will be the environment, more particularly in terms of loss of precious natural resources and increasing pollution levels due to decay that follows. To strike a balance between the creative use and ugly abuse of the paper it is necessary to limit the number of places in the campus for putting up of the posters to bare minimum and strictly enforce the recommendations of Lyngdoh Commission by framing stringent Rules for governing the student

elections. In our considered opinion the candidates contesting the student elections may be allowed to utilize handmade posters at certain notified places not exceeding two within every campus of University/College/Academy.

Respondent no.2- UGC reveals that it has no power to direct and regulate the conduct of the elections to the student unions in the University. We, therefore, direct the respondent nos. 3 to 5 that they, jointly and severally,:

1. Shall not allow use/pasting of posters/pamphlets everywhere within the campus and public streets by the students but Only allow the candidates contesting elections or their pre-notified student agents to utilize handmade posters at certain notified places not exceeding two within each campus;
2. Shall strictly enforce the Lyngdoh Commission recommendations and for that purpose frame rules or incorporate in the rules governing the students body elections stringent provisions-even to the extent of disqualifying the concerned contestants- for implementation of the said Recommendations including these directions;
3. Shall take steps to move towards paperless canvassing/campaigning in student elections in the manner aforesaid in accordance with law within two months.

With the above directions the Original Application NO. 402 of 2015 stands disposed of with no order as to cost.

.....JM
(U.D. Salvi)

.....EM
(Ranjan Chatterjee)

