

# **CURB RAGGING IN EDUCATIONAL INSTITUTIONS**

Prepared by



**The National University of Advanced Legal Studies  
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July 2009

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**National University of  
Advanced Legal Studies  
(NUALS)**

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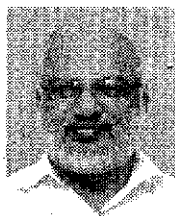
**Kerala State Higher Education Council  
Kerala State Legal Services Authority  
&  
National Service Scheme**

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July, 2009



**Shri. M.A. Baby**  
Hon'ble Minister for Education

### **MESSAGE**

I am glad to know that the Higher Education Council and the Universities in the State are taking effective steps in collaboration with the Kerala State Legal Services Authority for eradicating the menace of ragging from the campus. The handbook which is being brought out in this connection will help disseminate the necessary information to all educational administrators. I congratulate the National University for Advanced Legal Studies (NUALS) for preparing the literature in connection with the anti ragging campaign.

I wish all success for the anti ragging campaign

Thiruvananthapuram  
1<sup>st</sup> July, 2009

**Shri. M.A. Baby**  
(Sd/-)



JUSTICE KURIAN JOSEPH



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**MESSAGE**

*Knowledge without character is a vice, according to Mahatma Gandhiji, the father of our Nation. Education without formation is equally vicious. The primary purpose of education is to form a student to be a responsible citizen in the society. Ragging is a disorderly conduct. Ragging has its origin in western countries where practical jokes were played by seniors at the time of welcoming freshers to the institutions. But in our country it has lost its order, degrading to the level of torture and humiliation, both physical and mental and that gave rise to the Kerala Prohibition of Ragging Act, 1998. As part of the legal service, the Kerala State Legal Services Authority is only happy to associate with the Kerala State Higher Education Council in spreading the message regarding the menace of ragging. This book-let would be of great help to the management, head of the institution and other educational authorities for taking appropriate and timely action to prevent ragging in the campus, since prevention is better than curing. I request the well-meaning public also to join us in the venture for a counter culture in preventing ragging. I congratulate NUALS for the efforts taken in compiling the whole information regarding ragging in such a comprehensive and effective manner.*

JUSTICE KURIAN JOSEPH



**Prof. (Dr.) N. K. Jayakumar**  
Vice-chancellor, NUALS

Kochi - 17  
July 1, 2009

## **INTRODUCTION**

The stories of ragging taking place in educational institutions all over the country are indeed shocking. In the name of innocent fun or a familiarization process, the most barbaric and criminal acts are being perpetrated by groups of perverse and sadistic students. In spite of legal and administrative measures, the sad fact remains that the evil keeps on spreading, rather than abating.

Realizing the need for sensitization of all stakeholders in the field of education, -teachers, administrators, students and parents-, the Government of Kerala, at the initiative of Shri. M. A. Baby, Hon'ble Minister for Education, decided to launch an anti-ragging campaign in the first week of July, 2009 with the active involvement of the Kerala State Higher Education Council, Universities, National Service Scheme, NCC, the Police, and organizations of teachers and students. The National University of Advanced Legal Studies (NUALS), Kochi was entrusted with the task of preparing materials and co-ordinating the campaign. The Kerala State Legal Services Authority, under the dynamic leadership of Hon'ble Mr. Justice Kurien Joseph, declared their unstinted support for the campaign.

This small booklet which contains the gist of UGC guidelines, Supreme Court directions and statutory provisions is intended to be used as a handbook for the campaign. The materials have been compiled and edited by Prof. M.C.Valsan and Shri.Anil R.Nair of NUALS. I place on record my sense of appreciation for their efforts.

Law, if effectively implemented, will succeed in dealing with the criminal. But it cannot eliminate the crime. As far as the heinous crime of ragging is concerned, our endeavour is to eliminate the crime. That is the reason why we have to look beyond the law.

It is our hope that this small booklet will be of some help to those who are engaged in the fight against ragging.

**Prof.(Dr.) N. K. Jayakumar**

## THE SCOURGE OF RAGGING IS CORRODING OUR CAMPUSES

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Various measures have been taken to prevent ragging in educational institutions. The unlawful act of ragging by the senior students on freshers is justified as an act to familiarise them with new situations and to make them bold enough to face new challenges. But ragging is neither a means of familiarization nor a grooming session for freshers, but a form of psychopathic behaviour and a reflection of deviant personalities.

Various Expert Committees have studied this matter and important suggestions have been made to eradicate this evil from educational institutions. The Supreme Court and different High Courts have put forward numerous corrective measures in this area. There are legislations and executive orders prohibiting this antisocial activity.

In response to a Public Interest Litigation filed by the *Viswa Jagruthi Mission* for curbing the practice of ragging, the UGC constituted a four member committee chaired by Prof. K. P. S. Unny of the Jawaharlal Nehru University. The Report talks of various forms of ragging, reasons for ragging and its increasing incidences, locations vulnerable from the point of view of ragging and problems encountered during anti-ragging measures.

The 1999 Report recommended a PPP (Prohibition – Prevention – Punishment) approach. It suggested certain guidelines for prevention, law for prohibition and strict enforcement for punishing the offenders. It recommended enactment of Central and State laws making ragging a cognizable offence and identifying the perverse forms of ragging. It suggested punishment commensurate with the severity of the offence. It also suggested that the Film Censor Board and other agencies should discourage eulogizing of ragging in films and the media. The 1999 Report also suggested promulgation of Ordinances as an interim arrangement till anti-ragging statutes and laws could be made.

In the case of *University of Kerala v Council Principals, Colleges of Kerala*, the Supreme Court expressed displeasure on the incidents of ragging in the educational institutions despite direction to prevent such incidents. Directions were issued by the Supreme Court in May 2009 for supplementing and strengthening its already existing Orders.

A Committee appointed by the Supreme Court monitors the measures being taken by the various regulatory councils and the Universities and affiliated colleges to prevent ragging. To curb the menace of ragging, the Raghavan Committee appointed by the Supreme Court for the purpose made the following major recommendations.

### **Committee Recommendations**

- |   |
|---|
| <ul style="list-style-type: none"><li>• Primary responsibility for curbing ragging rests with academic institutions.</li></ul>  |
| <ul style="list-style-type: none"><li>• Ragging adversely impacts the standards of higher education.</li></ul>  |
| <ul style="list-style-type: none"><li>• Incentives should be available to institutions for curbing the menace and there should be disincentives for failure to do so.</li></ul> |



<ul style="list-style-type: none"> <li>• Enrolment of academic pursuits or a campus life should not immunise any adult citizen from penal provisions of the laws of the land</li> </ul>
<ul style="list-style-type: none"> <li>• Ragging needs to be perceived as failure to inculcate human values from the schooling stage.</li> </ul>
<ul style="list-style-type: none"> <li>• Behavioural patterns among students particularly potential 'raggers' need to be identified.</li> </ul>
<ul style="list-style-type: none"> <li>• Measures against ragging must deter its recurrence.</li> </ul>
<ul style="list-style-type: none"> <li>• Concerted action is required at the level of the school, higher educational institution, district-administration, University, State and Central Governments to make any curb effective.</li> </ul>
<ul style="list-style-type: none"> <li>• Media and Civil Society should be involved in the exercise.</li> </ul>

### **The Supreme Court Recommendations**

<ul style="list-style-type: none"> <li>• The punishment to be meted out has to be exemplary and justifiably harsh to act as a deterrent against recurrence of such incidents.</li> </ul>
<ul style="list-style-type: none"> <li>• In every single incident of ragging where the victim or his parent or the Head of the institution is not satisfied with the institutional arrangement for action, a First Information Report must be filed without exception by the institutional authorities with the local police authorities.</li> </ul>
<ul style="list-style-type: none"> <li>• Any failure on the part of the institutional authorities or negligence or deliberate delay in lodging the FIR with the local police shall be construed to be an act of culpable</li> </ul>

negligence on the part of the institutional authority. If any victim of ragging or his parent/ guardian intends to file the FIR directly with the police, that will not absolve the institutional authority from the requirement of filing the FIR.

- Courts should make an effort to ensure that cases involving ragging are taken up on a priority basis to send the correct message that ragging is not only to be discouraged but also to be dealt with sternness.

The Supreme Court also suggested that the Central Government and the State Government shall launch a programme giving wide publicity about the menace of ragging and the consequences which follow in case any student is detected to have been involved in ragging.

## **MHRD DIRECTIONS**

Ministry of Human Resource Development, Department of Higher Education (Government of India) has issued the following directions:

- Prospectus to have guidelines to prevent ragging and factual information on ragging incidents.
- Undertaking from each student not to indulge in or to abet ragging.
- Institutions to form Anti-Ragging Committees.
- Institutions to form Anti-Ragging Squads.
- Conduct Orientation Programmes for freshers.

<ul style="list-style-type: none"> <li>• Enquire each incident of ragging</li> </ul>
<ul style="list-style-type: none"> <li>• File F.I.R. with local Police where victims are dissatisfied with action taken.</li> </ul>
<ul style="list-style-type: none"> <li>• Strict disciplinary action against students indulging in ragging.</li> </ul>
<ul style="list-style-type: none"> <li>• Ensure access to mobile phones and public phones in Hostels to enable timely communication.</li> </ul>
<ul style="list-style-type: none"> <li>• Publicize telephone numbers of all important functionaries (Heads of Institutions, Faculty Members, Hostel Wardens and District Authorities).</li> </ul>
<ul style="list-style-type: none"> <li>• Complaints or information to be oral or written.</li> <li>• To afford confidentiality of the source of information on ragging.</li> </ul>
<ul style="list-style-type: none"> <li>• Universities should form Monitoring Cells</li> </ul>

## KERALA ACT – A PIONEERING MOVE

As a pioneering effort by the State of Kerala, the **Kerala Prohibition of Ragging Act, 1998** was enacted to prohibit ragging in educational institutions in Kerala.

According to the Act, 'ragging' means doing of any act by disorderly conduct to a student of an educational institution, which causes or is likely to cause physical or psychological harm or raising apprehension or shame or embarrassment to that student and includes teasing, or abusing or playing practical jokes or causing hurt to such students or asking a student to do any act or to perform something which such student will not in the ordinary course be willing to do.

The Act makes ragging an offence. The punishment is imprisonment for a term of upto two years and a fine upto ten thousand rupees to those convicted of committing, participating in, abetting or propagating ragging within or outside any educational institution.

The Act mandates dismissal of any student convicted under it from educational institution. Such student shall not be admitted in any other educational institution for a term of three years from the date of order of such dismissal.

On receipt of a complaint of ragging, the Head of the Educational Institution can suspend the accused student and is duty bound to enquire into the matter within 7 days.

## **UGC REGULATIONS**

In June 2009, the UGC has notified a comprehensive set of Regulations to curb the menace of ragging in educational institutions.

### **What is Ragging ?**

As per the UGC Regulations, 2009, 'Ragging' constitutes one or more of any of the following acts:

- a. any conduct by any student or students whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness a fresher or any other student;
- b. Indulging in rowdy or indisciplined activities by any student or students which causes or is likely to cause annoyance, hardship, physical or psychological harm or to raise fear or apprehension thereof in any fresher or any other student;
- c. Asking any student to do any act which such student will not in the ordinary course do and which has the effect of causing or generating a sense of shame, or torment or embarrassment so as to adversely affect the physique or psyche of such fresher or any other student;

- d. Any act by a senior student that prevents, disrupts or disturbs the regular academic activity of any other student or a fresher;
- e. Exploiting the services of a fresher or any other student for completing the academic tasks assigned to an individual or a group of students.
- f. Any act of financial extortion or forceful expenditure burden put on a fresher or any other student by students;
- g. Any act of physical abuse including all variants of it: sexual abuse, homosexual assaults, stripping, forcing obscene and lewd acts, gestures, causing bodily harm or any other danger to health or person;
- h. Any act or abuse by spoken words, emails, post, public insults which would also include deriving perverted pleasure, vicarious or sadistic thrill from actively or passively participating in the discomfiture to fresher or any other student ;
- i. Any act that affects the mental health and self-confidence of a fresher or any other student with or without an intent to derive a sadistic pleasure or showing off power, authority or superiority by a student over any fresher or any other student.

### **Duties of Institutions**

While admitting or registering a student an institution must do the following:

- ❖ In all published documents relating to its admissions it must expressly provide that ragging is totally prohibited in the institution and that participation in ragging would invite punishment under the UGC Regulations and the penal law.
- ❖ In its prospectus, brochures, etc., it must prominently print these Regulations in full and should also draw attention to laws governing the issue.
- ❖ Prospectus must publish the phone numbers of

1. the Anti-Ragging Helpline

2. all important functionaries of the institution including

- Head of the Institution,
- Faculty members,
- Members of the Anti-Ragging Committees,
- Anti-Ragging Squads,
- District and Sub-Divisional authorities,
- Wardens of hostels,
- Other functionaries or authorities where relevant.

- ❖ An Affiliating University must ensure that the affiliated institutions comply with the Regulations.
- ❖ Obtain affidavits as per Annexure I of the Regulations from the student and his parent/ guardian each attesting to the fact that no ragging has been done by the student or will be done by the student and that they are aware that it is an offence to indulge in ragging.
- ❖ The application for admission to be accompanied by a Character Certificate reporting on the inter-personal/social behavioural pattern of the applicant, to be issued by the school or institution last attended by the applicant.
- ❖ All hostel students to submit affidavits as per Annexure I and II of the Regulations for admission to such hostels whether run by the institution or not.
- ❖ At the commencement of the academic session a meeting is to be convened by the Head of the Institution of the various functionaries/agencies, such as Hostel Wardens, representatives of students, parents/ guardians, faculty, district administration including the police, to discuss the measures to be taken to

prevent ragging in the institution and steps to be taken to identify those indulging in or abetting ragging and punish them.

- ❖ The institution must give wide publicity and take measures to create awareness about the objectives of the UGC Regulations and particularly the dehumanising effect of ragging.
- ❖ Vacations before the commencement of classes must be used for training students against ragging and for publicity campaigns against ragging.
- ❖ Institutions must approach the media to publicise the institution's resolve to ban ragging and punish those found guilty without fear or favour.
- ❖ The institution shall identify, illuminate and keep a close watch on all locations known to be vulnerable to occurrences of ragging incidents and tighten and improve security in its premises.
- ❖ Use of Anti-Ragging Squad and volunteers must be used for intense policing during the first few months of the academic session.
- ❖ Induction programmes must be in place to anticipate, identify and plan to meet special needs of students to promote the objectives of the UGC Regulation.
- ❖ The Institution must ensure that professional counsellors are made available as and when required by the institution for counselling freshers and other students after the commencement of the academic year.
- ❖ The Head of the Institution must inform the local police and authorities the details of all hostel facilities used by the students and also ensure that the Anti-Ragging Squad exercises vigil in such locations.

## **Punishment**

The UGC regulations stipulate that students can be expelled from an institute and debarred from taking admission to any other institute for a specified period after being found guilty of the offence.

The regulations say students can be fined up to Rs. 2.5 Lakhs if found guilty of ragging. The UGC regulations provide for rustication of a student, a period from one to four semesters.

## **National Call Centre**

A National Call Centre has started operation from 20<sup>th</sup> June 2009 to enable ragging victims from across the country to dial a toll free number to register complaints. This is the national anti-ragging helpline.

**24 x 7 TOLL FREE ANTI-RAGGING HELPLINE**

**1800-180-5522**

The helpline will have a software which will pass on the message to the Head of the Educational Institutions within 15 minutes so as to help the administration to swing into action to rescue of the victim.

## **Guidelines to Institutions**

Following the Supreme Court direction, based on R.K. Raghavan Committee report against ragging, the UGC has directed all Universities and institutions to implement the recommendations. Accordingly, every college should have the following committee:

- I. **Anti-Ragging Committee** headed by the Head of institution consisting of the following members:
  1. Head of Institution
  2. Representatives of Civil administration
  3. Representatives of Police administration



4. Representatives of Faculty members
5. Representatives of Local media
6. Representatives of NGOs
7. Representatives of Parents
8. Representatives of Freshers
9. Representatives of Senior students
10. Representatives of Non-teaching staff

II. **Anti-ragging Squad** – should be nominated by the Head of Institution with such representation as considered necessary to keep it mobile, alert and with patrolling function. The squad should make surprise raids in hostels and other hot spots and be empowered to inspect places of potential ragging. It should work under the overall guidance of the Anti-ragging committee.

III. **Monitoring Cell** – is mainly to oversee and involve senior students as Mentors for the 'freshers'. This cell should be formed at the end of every academic year. There should be as many levels of tiers of Mentors as the number of batches in the institutions. The Anti-ragging squad and the Head of institutions should be involved in selecting the members of the cell.

- 1<sup>st</sup> batch of Mentors – should be formed from the 2<sup>nd</sup> year students.
- There should be one mentor (2<sup>nd</sup> year student) for 6 freshers (1:6).
- One 3<sup>rd</sup> year mentor for every six 2<sup>nd</sup> year mentors.
- One 4<sup>th</sup> year mentor for every six 3<sup>rd</sup> year mentors.
- One 5<sup>th</sup> year mentor for every six 4<sup>th</sup> year mentors.
- Each level of mentors should have a Faculty advisor.

- IV. Anonymous random surveys must be conducted across the entire 1<sup>st</sup> year batch of students every fortnight during the first three months of the academic session in order to verify and crosscheck whether the campus is indeed free of ragging or not.
- V. The institution must against complaints in regard to ragging or any *suo moto* information in respect thereof, where its authorization may come across promptly, and at all level and necessary action must be attended to with great dispatch. The complaints or information in regard to ragging could be oral or written and even from third parties and the confidentiality of the source of information must be protected at all costs. Remedial action must be initiated and completed within the week of the incident itself, so that the culprits does not tamper evidence or influence witnesses.
- VI. The burden of proof must, lie on the perpetrator and not on the victim to prove that ragging did not take place. Collective punishment in these cases where the perpetrators could not be identified should continue.
- VII. An annual undertaking to be signed by each student whether fresher or senior and his/her parents jointly stating that each of them have read the relevant instructions/regulations against ragging as well as punishments, and that the ward has been found guilty he/she will be proceeded against. The undertaking should be provided in-English as well as in the vernacular. This should be furnished at the beginning of each academic year by every student. The undertaking should be appended to a brochure containing the guidelines and other relevant instructions in regard to ragging and consequences of indulging in ragging.
- VIII. Extensive publicity must be undertaken by the institutions by means of permanent boards displaying definition of ragging and its punishments in the campus especially in hostels and colleges, audio-visual aids, by holding counseling seminars,

workshops, painting etc. and other methods as it deems fit to publicize the ills of ragging.

- IX. There should be a development sense of confidence among 'freshers'. There should be a clear gap of 1 or 2 weeks in the date of joining of freshers and the seniors, classes for the seniors should commence later. It should be mandatory for institutions to inform parents of senior students their wards reach only on the due date and not earlier.
- X. The 'Freshers' day shall be conducted within the first two weeks of the beginning of the academic session, that is not later than one week after the commencement of classes for the seniors. Faculty must be present to ensure no ragging or untoward incident takes place on this occasion.
- XI. Professional counselors should be engaged to counsel 'freshers' in order to prepare them for the life ahead. The Head of institution should address all freshers in the first day of the academic session, and educate them about their rights against harassment of any kind including ragging, and all Faculty members must invariably be present on the occasion. The Academic Officer should give an orientation where all the departmental faculty must be present.
- XII. On arrival of senior students a joint sensitization programme and counseling of both 'freshers' and seniors should be done through a professional counselor. They should be addressed by the Head of institution and the anti-ragging committee. In the hostel, the Warden and Asst. Warden should address all the students. There should be resident tutors to assist the Asst. Warden to fulfill the obligations. It is strongly recommended that as far as possible Faculty members should dine with the hostel residents in their respective hostels up to Freshers' day.
- XIII. Wardens and Asst. Wardens must be accessible at all hours. They must be issued with mobile phones by the institutions and

details of their telephone number must be widely publicized. Similarly the telephone numbers of head of institutions, faculty members, members of anti-ragging committee, District and Sub-divisional authorities and authorities of the relevant state should also be widely disseminated. Free access to phone at any time should be made available to the freshers.

- XIV. The Head of Institution should submit to the Vice-Chancellor with a copy to the Registrar and DSW, weekly reports during first three months of re-opening of the institution and thereafter reports each month on the status of compliance with anti-ragging measures. The Vice-Chancellor should submit fortnightly reports of the University level Monitoring Cell to the State level Cell under the Chancellor. The fortnightly and weekly reports should be shared with the media, so that 'nil' reports if any are also in the public domain.

**All the Heads of Institutions must act well in time and occurrence of any untoward incidents in this regard due to any lapse in observing these directions will be the responsibility of Head of the Institutions.**

#### **Measures by the UGC**

Other measures contemplated by the UGC against institutions that fail to take adequate steps to prevent ragging or fail to act in accordance with these Regulations or fails to punish perpetrators or incidents of ragging suitably include:

- i. Withdrawal of declaration of fitness to receive grants under section 12B of the Act.
- ii. Withholding any grant allocated.
- iii. Declaring the institution ineligible for consideration for any assistance under any of the general or special assistance programmes of the Commission.

- iv. Informing the general public, including potential candidates for admission, through a notice displayed prominently in the newspapers or other suitable media and posted on the website of the Commission, declaring that the institution does not possess the minimum academic standards.
- v. Taking such other action within its powers as it may deem fit and impose such other penalties as may be provided in the Act for such duration of time as the institution complies with the provisions of these Regulations.

### **Needed: A Concerted Effort**

The practical measures ordered by the Court – such as the setting up of anti-ragging Committees in educational institutions, monitoring cells at the University level, a toll free helpline for those in distress and strengthening mechanisms for reporting cases of ragging – are aimed at obliterating the ugly scar of ragging.

However, a lot more needs to be done to achieve this end. Last year, the Coalition for uprooting Ragging in Education found that despite the Supreme Court's intermittent directions since 1999, there were 28 ragging related deaths and 11 attempted suicides between July, 2007 and June, 2008. Of these, 11 deaths and five attempted suicides occurred in the corresponding period in 2007-08. While stamping out ragging requires a coordinated effort by educational institutions, the government, the media and civil society, it calls for a comprehensive national law against the menace. Such a measure should effectively deter those who commit this human rights abuse in the name of fun and college tradition.

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