

## Anti-Ragging Laws in India

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### Introduction

Ragging is originally a western concept and was originally a form of social interaction between seniors and juniors in schools and colleges. However, these interactions, have taken a very brutal, inhuman and anti-social, form at times. Even some of the highly reputed colleges and institutions have a terrible history of ragging. Ragging has social, physical, political economic academic and physiological dimensions. Vishwa Jagriti Mission[1] filed Public Interest Litigation for curbing ragging. Another relevant judgment passed in the year 2007 by the Hon'ble Supreme Court was in **University of Kerela vs. Council Principals, Colleges Kerala & Ors,[2]** R.K Raghvan Committee post

2007 order of the Hon'ble Court had shared a detailed report to tackle the problem of ragging. The article examines what our law says about ragging.

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## **A. DEFINITION OF RAGGING**

Under laws in India, ragging is defined as:

- (i) Any disorderly conduct by either by acts or words spoken, the effect of which is teasing, treating or handling with rudeness any other student;
- (ii) Any rowdy or undisciplined activity, which causes annoyance, hardship or psychological harm;
- (iii) Raise fear or apprehension thereof in the minds of junior
- (iv) Asking the students to do an act or perform something, which such student will not do in ordinary course, which has the effect of causing shame or embarrassment so as to adversely affect the physique or psyche of a junior student

## **B. Legislations on Ragging**

Some States<sup>[3]</sup> in India have their own legislations on ragging. Some States which do not have their own legislation on ragging and therefore the ragging laws in these States are in accordance with the central legislations on ragging.

## **C. Central Legislations**

The central legislations, which keep check on the practice of ragging in India, are:

1. Indian Penal Code
2. UGC Regulations On Curbing The Menace Of Ragging In Higher Educational Institutions, 2009
3. Other institute specific regulations

## **D. Punishments under Indian Penal Code against acts of Ragging**

Every single incident of ragging or abetting in ragging puts an obligation on the institution to get the FIR registered. There are provisions in the IPC, which can be used by a student to register an FIR in the nearest Police Station. These provisions are:

- 294 – Obscene acts and songs
- 323 – punishment for voluntarily causing hurt
- 324 – voluntarily causing hurt by dangerous weapon or means
- 325 – punishment for voluntarily causing grievous hurt
- 326 – voluntarily causing grievous hurt by dangerous weapon

342 – Punishment for Wrongful Confinement

506 – Punishment for culpable homicide not amounting to murder

## **E. UGC Regulations on Curbing The Menace Of Ragging In Higher Educational Institutions, 2009**

### **1.Scope of these Guidelines**

These regulations were passed by the University Grants Commission in the year 2009 to curb the menace of ragging in the Universities in India. The best part of these regulations is that they shall apply to all the institutions including:

- (i) Under the Central/provincial/state act
- (ii) Deemed university under the UGC Act, 1956
- (iii) All other educational institutions

The guidelines extend to all the premises, whether located in the campus or outside and also in means of transportation whether public or private. The objective of these guidelines is to ensure completely wiping and prohibiting the activities of ragging

### **2.Important Regulations**

**Publishing ragging is banned :** The institutions are required to publish that the ragging is totally banned in the institution and anyone found doing/abetting ragging would be suitably punished.

**Brochures/Application Form/Enrollment Form :** The college brochures are required to mention these guidelines in full. The prospectus would include all directions of Supreme Court/Central and State Government as applicable. The application/enrollment form for admission will have an undertaking in English and Hindi and preferably one in regional language to be signed by parent/guardian. The school-leaving certificate should reflect the behavioral pattern of the student.

**Affidavit of Student :** A student during the admission process has to file an affidavit along with his parents/guardian's signature, stating that he will not be ragging other students directly or indirectly.

**Anti-Ragging Committee :** Every institution shall constitute a committee to be known as the Anti-Ragging Committee. To be nominated and headed by the Head of the institution, and consisting of representatives of civil and police administration, local media, Non-

Government Organizations involved in youth activities, representatives of faculty members, representatives of parents, representatives of students belonging to the

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mix of membership in terms of levels as well as gender. It shall be the duty of the Anti-Ragging Committee to ensure compliance with the provisions of the Regulations as well as the provisions of any law for the time being in force concerning ragging. The College is required to submit to weekly reports on anti ragging status to the Vice Chancellor of the University.

**Contact detail of Anti Ragging Helpline/Anti Ragging Committee/Anti Ragging Squad :** Every fresh student admitted to the institution shall be given a printed leaflet detailing to whom he/she has to turn to for help and guidance for various purposes including addresses and telephone numbers, so as to enable the student to contact the concerned person at any time. Identity of informants of ragging incidents is fully protected.

**Anti ragging squad :** Anti ragging committee would also monitor and oversee the performance of the Anti-Ragging Squad. It shall be the duty of the Anti-Ragging Squad to make surprise raids on hostels, and other places vulnerable to incidents of, and having the potential of, ragging.

**FIR :** The guidelines lays down that on receipt of any information concerning any reported incident of ragging, the Head of institution shall immediately determine, if a case under the penal laws is made out and if so, either on his own or through a member of the Anti-Ragging Committee, proceed to file a First Information Report (FIR), within twenty four hours of receipt of such information.

**Evaluation of Ragging :** It lays down that The Anti-Ragging Committee of the institution shall take an appropriate decision, in regard to punishment or otherwise, depending on the facts of each incident of ragging and nature and gravity of the incident of ragging established in the recommendations of the Anti-Ragging Squad.

**Freshers are to allotted a different hostel**

### 3. Regulations by other Bodies

Apart from IPC and the UGC Regulations, there are other government bodies that have their own laws on ragging in their respective acts. For example the All India Council For Technical Education [AICTE] and the Medical Council of India have made their own regulations under their respective acts.

(i) The AICTE has created “All India Council for Technical Education (Prevention and Prohibition of Ragging in Technical Institutions, Universities including Deemed to be

(ii) Similarly, the Medical Council of India has made Medical Council of India (Prevention and Prohibition of Ragging in Medical Colleges/Institutions) Regulations, 2009” under Section 33 of the Indian Medical Council Act, 1956.

#### 4. Punishable Ingredients of Ragging

- (i) Abetment to ragging
- (ii) Criminal conspiracy to rag
- (iii) Unlawful assembly and rioting while ragging
- (iv) Violation of decency and morals through ragging
- (v) Injury to body causing hurt or grievous hurt
- (vi) Wrongful restraint
- (vii) Wrongful confinement
- (viii) Use of criminal force
- (ix) Extortion
- (x) Assault/sexual offences/Unnatural offences
- (xi) Criminal intimidation
- (xii) Offences against property
- (xiii) Attempt to commit any or above of the offences
- (xiv) Any offence flowing from the definition of ragging

#### 5. Consequences of Ragging

- (i) Cancellation of admission
- (ii) Suspension from attending classes
- (iii) Withholding/withdrawing scholarship and other benefits
- (iv) Debarring from appearing in exam/other evaluation process
- (v) Withholding results

(vi) Debarring the student from representing in any national, international or youth festival

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(vii) Suspension from hostel

(viii) Restriction from institution for a period of 1 to 4 years

(ix) Expulsion from an institution and barring from admission in any other institution.

(x) Fine up to Rs. 25,000/-

(xi) Collective institution

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## Conclusion

The primary responsibility to curb ragging would vest with the educational institutions. There is a requirement to active participation of media and civil society as well in controlling them. As rightly observed by the Hon'ble Supreme Court, declaring ragging as a cognizable offence cannot control ragging, as the students going to educational institutions should not be subjected to live under fear of police. However, in view of the recent impact on the students, these guidelines to curb the menace of ragging were put in place. The court also has been ensued responsibility to ensure that there is speedy disposal of these matters. The past memories of adverse impact of ragging can only be wiped by strict implementation of these laws.

[1] Vishwa Jagriti Mission vs. Central Government W.P No. (C) 656 of 1998

[2] SLP (C) No. 242966-24299

[3] Andhra Pradesh, Maharashtra, Karnataka, Uttar Pradesh, Chandigarh, Tripura, Tamil Nadu, Assam, Kerala, West Bengal, Goa, Jammu and Kashmir

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